PART TWO: CONCEPT OF OPERATIONS

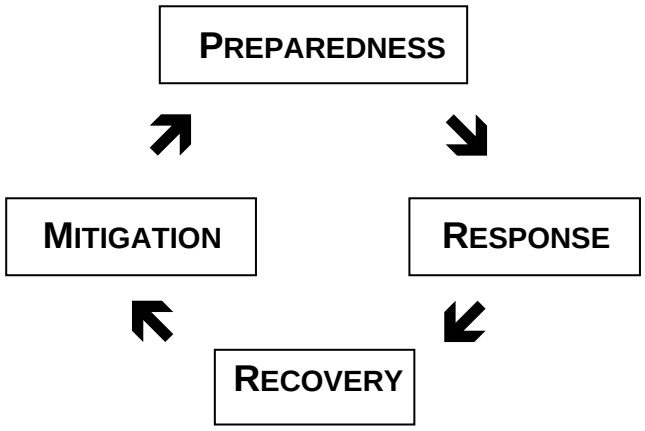
SECTION 1.0 - EMERGENCY MANAGEMENT

Introduction

The process of preventing, preparing for, responding to, and recovering from hazardous materials incidents employs the traditional emergency management principles utilized in addressing any emergency or disaster. For these efforts to be successful, a wide variety of government agencies (from all levels), as well as the private sector, must cooperate and integrate their response capabilities.

Phases of Emergency Management

Part Two of the Tool Kit describes how this overall concept of operations is employed within California. The four phases of emergency management employed before, during, and after an incident are identified as Preparedness, Response, Recovery, and Mitigation (as illustrated below).



The **four phases**, as used within California's emergency management system, are described briefly below and in more detail in the following sections.

1. **Preparedness:** The key to effective emergency management is rapid, well planned responses. The preparedness phase consists of conducting hazard or risk analyses; identification of agency roles and responsibilities; developing emergency response plans and procedures; mutual aid or assistance agreements; response resources; and conducting training, drills, and exercises to test the plans, procedures, and training. It also includes a medical surveillance program to protect the health and safety of HazMat responders. Preparedness also includes the development of inspection and enforcement programs which may be utilized within the other phases of the hazardous materials system.

2. **Response:** The response to a hazardous materials incident includes measures such as the implementation of emergency plans; activation of emergency operations centers; mobilization of resources; issuance of health and safety warnings and directions; provision of medical and social services assistance; enforcement of laws and regulations; and declaration of emergencies as enabled by appropriate legislation. This phase is designed to eliminate or control the immediate, acute threat to public health and the environment. A successful response may or may not completely eliminate the threat to human health and the environment.

3. **Recovery:** The recovery phase restores communities and/or the environment to a safe or pre-emergency condition, and includes measures such as investigation and cleanup of remaining hazardous substances contamination, physical restoration and reconstruction of damaged facilities and the environment, counseling of victims, performing economic impact studies and implementing financial assistance programs, providing temporary housing or permanently relocating victims, and providing health and safety information.

4. **Mitigation:** The mitigation phase is the ongoing effort to prevent or reduce the impact that a hazardous materials incident will have on people, property, and the environment. It is preventative by definition and should not be confused with "site mitigation programs" designed to investigate and cleanup hazardous substances contamination. Mitigation processes include laws and regulations mandating prevention, inspection, and enforcement programs; hazard analyses and risk management; engineering and building codes development; zoning and land use management; education; tax and insurance incentives.

SECTION 2.0 - PREPAREDNESS

Preparedness Phase

Preparedness consists of activities undertaken in advance of an emergency. These activities are primarily designed to develop operational capabilities and improve response to hazardous materials incidents. Some of these activities have the added benefit of being utilized in mitigation programs to prevent incidents from occurring.

Preparedness activities are conducted by all levels of government and the private sector to ensure that when an emergency or disaster strikes, emergency responders and managers will be able to provide the best response possible. These activities would include, but not be limited to, the following: emergency plans, mutual aid agreements, resource inventories, warning systems and procedures, emergency communications, training, drills and exercises, and response planning. When an emergency or disaster strikes, the best protection is knowing what to do.

Each type of activity will be discussed in terms of what programs and requirements exist for each level of government and the private sector.

BUSINESS:

Hazard analyses, risk assessments, and security evaluations are performed by businesses at individual facilities. They are also conducted by specific industries or organizations for processes common to all operators in that industry. Transporters of hazardous materials also conduct these activities, whether the materials are moved by road, rail, water, air, or pipeline.

There are a number of legally mandated programs requiring businesses to conduct hazard analyses and risk assessments. Some of the existing requirements include:

- **California Accidental Release Prevention (CalARP) Program** required pursuant to H&SC 25531*(et seq*.), implements the federal Accidental Release Prevention program with additional California-specific requirements. This program requires any business with more than a threshold quantity of a regulated substance in a process, unless exempted, to implement an accidental release prevention program and develop a Risk Management Plan (RMP). There are three program levels in the CalARP program. Businesses subject to program levels two and three are required to conduct a hazard assessment.

- **Air Toxics "Hot Spots" Information and Assessment Act** required pursuant to H&SC 44300 (*et seq.),* requires emitters of hazardous air contaminants to conduct health risk assessments to evaluate those emissions. This program is designed to identify, assess, and control ambient levels of hazardous air pollutants. It seeks to collect and evaluate information concerning the amounts, exposures, and short and long-term health effects of hazardous substances released into the atmosphere.

- **California Refinery and Chemical Plant Worker Safety Act** required pursuant to California Labor Code § 7850 (et seq.), evaluates chemical process safety when dealing with the risks associated with handling or working near hazardous chemicals. It is intended to prevent or minimize the consequences of catastrophic releases of acutely hazardous, flammable, or explosive chemicals. The law requires the employer to conduct a hazard analysis for identifying, evaluating, and controlling hazards involved in a process. While focused on employee protection, a successful program will have the effect of also protecting the surrounding community.

- **Worker Health and Safety Regulations** [federal (29 CFR 1910.120) and state (8 CCR 5192)] require employers to identify, evaluate, and control hazards employees may encounter during hazardous waste operations and emergency response.

LOCAL/REGIONAL GOVERNMENT:

Generally, local governments will identify hazards based upon information provided by local users of hazardous materials. The likelihood of encountering a hazardous materials incident in any particular locality can range from low to high, depending on the type, amount, and distribution of chemicals; however, any area may be considered vulnerable to a hazardous materials incident.

- California Health and Safety Code (H&SC) § 25503(e)(1) requires the Certified Unified Program Agencies/Administering Agencies (CUPA/AAs) to submit the basic provisions for a plan to conduct on-site inspections of businesses. The requirements include "identifying existing safety hazards that could cause or contribute to a release."

- Federal emergency planning requirements include the formation of Local Emergency Planning Committees (LEPCs). The LEPCs are required to evaluate facilities using threshold quantities of extremely hazardous substances (EHS), and determine which facilities are at risk of a release or subject to additional risk due to their proximity to another facility using EHS. The LEPCs are also required to identify hazardous materials transportation routes. This requirement has led LEPCs to conduct hazard assessments within their planning districts.

- Emergency planning principles and practices indicate that emergency plans include all the hazards existing within a jurisdiction. California OES has developed the *Emergency Planning Guidance For Local Government* to assist local government in conducting emergency planning. Information on hazard analysis is also included in this guidance document.

Planning

Overview

Planning is the cornerstone of an effective emergency response program. Businesses and public agencies having emergency response missions should prepare supporting plans, standard operating procedures (SOPs), and checklists to support their emergency operations. Such plans and procedures will provide for coordination and communication among all entities responding to an emergency. There are a number of emergency plans required of businesses and government with respect to responding to hazardous materials emergencies.

Private Sector

- **Standard Operating Procedures (SOP)** are a detailed delineation of specific actions to be taken during an emergency, such as the release or threatened release of hazardous materials. SOP's may be required as part of an existing plan by a regulatory agency; may be included in a plan even if not required; or may be a separate document.

- **Business Plans** (also known as Business Emergency Plans, Hazardous Materials Business Plans, and Disclosure Plans) are developed pursuant to California Health and Safety Code (H&SC) Chapter 6.95. Business Plans consist of three main parts: an inventory of hazardous materials (updated annually), a training element, and emergency response plans and procedures. The plans and procedures must address notification, procedures for mitigating releases, and conducting evacuations.

- **Risk Management Plans (RMP)** may be required under the California Accidental Release Prevention (CalARP) Program (H&SC 25531-25543.3.), which replaced the California Risk Management and Prevention Program (RMPP). The CalARP Program merges the federal and state programs for the prevention of accidental releases of regulated toxic and flammable substances. Facilities that handle more than the threshold quantity of a regulated substance (those chemicals on the federal list [40 CFR 68.130] or the state list [19 CCR 2770.1, *et seq.*]) in a process are covered and may be required to implement an emergency response program, including the development of an emergency response plan.

- **Hazardous Waste Facilities Contingency Plans** are required under California and federal regulations. H&SC 25150 allows the California Department of Toxic Substances Control (DTSC) to develop regulations to regulate hazardous waste. DTSC has established contingency plans and emergency procedures requirements in 22 CCR 66264.51 and 66265.51. It requires each owner or operator of a hazardous waste facility to have a contingency plan that describes the actions the facility must take in response to emergencies and other activities intended to minimize the impacts of a release of hazardous waste. The federal regulations are part of the Resource Conservation and Recovery Act (RCRA) and are found in Title 40, Code of Federal Regulations (40 CFR), Part 264.

- **Spill Prevention Containment and Countermeasures Plans (SPCC)** are required pursuant to H&SC 25270.5 and under the Federal Clean Water Act pursuant to Title 40, Code of Federal Regulations, Part 112 for facilities that have discharged, or could be expected to discharge oil into the waters of the United States.

- **Underground Storage Tank Spill, Accident Prevention, or Response Plans** may be required pursuant to California Health and Safety Code, Chapter 6.7, or a local underground storage tank ordinance. 23 CCR 2632(d) describes the requirement for a "response plan which demonstrates, to the satisfaction of the local agency, that any unauthorized release will be removed . . .". These requirements apply to existing and new underground storage tanks.

- **Marine Facility and Vessel Oil Spill Contingency Plans** are required pursuant to California Government Code § 8670.29 and § 8670.31 for marine facilities and vessels that handle oil products in bulk that could impact the marine waters of the state. The specific planning requirements are described in 14 CCR 815.01, *et seq*.

- **Hazardous Materials Management Plans** are required pursuant to regulations promulgated by the State Fire Marshal under the authority of H&SC 13143.9. Those regulations shall establish minimum standards for the storage, handling, and use of hazardous materials as defined in the Uniform Fire Code. The regulations are published by the California Building Standards Commission in 24 CCR, Part 9, “California Fire Code” and are available from the Commission. Local government can also adopt ordinances to implement its own fire code requirements.

- **California Consolidated Contingency Plan Format (CCCPF)** does not create new planning requirements, but provides a mechanism to consolidate similar emergency response and planning elements for multiple plans, noted above and below (except the Vessel Oil Spill Contingency Plan), that facilities have prepared in compliance with various regulations, into a single functional plan rather than multiple separate plans [pursuant to H&SC 25503.4(a)].

  The CCCPF developed by OES is modeled after the National Response Team’s Integrated Contingency Plan Guidance, and will be found in 19 CCR 2731.3 once it is codified. A facility has the option to use the consolidated contingency plan format adopted by OES or the format developed by their local CUPA/AA/PA. The "one plan" format will minimize duplication in the preparation and use of emergency response plans at the same facility, and should also improve coordination between facility response personnel and local, state, and federal emergency responders.

The following table outlines the six emergency plans and the applicable statutory and regulatory references:

Emergency Plan Required	Program Element	Statutory Reference	Regulatory Reference
Business Plan	Business Plan Program	H&SC, Chapter 6.95, Article 1	19 CCR 2729-2732
Contingency Plan	Hazardous Waste Generator/Tiered Permitting Program	H&SC, Chapter 6.5	22 CCR 66264.24 - 66264.25
Spill Prevention Control & Countermeasure Plan	Above Ground Storage Tank (AST) Program	H&SC, Chapter 6.67, § 25270.5	40 CFR, Part 112
Marine Facility Oil Spill and Vessel Contingency Plans	Oil Spill Prevention and Response Program	Government Code (GC) 8670.29 & 8670.31	14 CCR 815.01 - 817.02
Accident/Spill Prevention Plan	Underground Storage Tank (UST) Program	H&SC, Chapter 6.7	23 CCR 2632(d)
Risk Management Plan	California Accidental Release Prevention Program (CalARP)	H&SC, Chapter 6.95, Article 2	19 CCR 2745.8

A copy of the consolidated contingency plan format is in the *DRAFT Guidance Document for the California Consolidated Contingency Plan*, available from the OES Hazardous Materials Unit.

Local Government

- **Hazardous Materials Area Plans** are developed pursuant to H&SC 25503(c). The CUPA/AA/PAs that are implementing the hazardous materials emergency planning and community right-to-know programs are required to prepare a plan for their jurisdiction that addresses the emergency response to a release or threatened release of hazardous materials. The specific requirements for the plans are found in 19 CCR 2720-2728. In addition, plans for on-site inspections and a data management system must be developed pursuant to H&SC 25503(e).

- **Local Marine Oil Spill Contingency Plans** are developed by local governments that have marine waters within their borders. They may develop or update a local oil spill contingency plan, consistent with state policy, as a supplement to their Area Plan. Although not required, most local governments have undertaken this planning process.

- **Emergency Medical Services (EMS) Plans** are developed by jurisdictions that have an EMS agency. They are required to have an EMS plan covering hazardous materials and medical responders should address the aspects of mass casualty incidents caused by hazardous materials.

- **Local Emergency Plans** incorporate a functionally oriented team approach to all hazards emergency planning in a community. Many local jurisdictions have incorporated the area plan requirements into the local emergency plan. OES has developed *Emergency Planning Guidance For Local Government* to assist local jurisdictions in developing or revising emergency plans. The guidance recommends content in three major categories:

    1. Basic information about the planning process, using the plan, promulgation of the plan, plan distribution and updates. It also discusses administrative information relating to authorities and references, the emergency organization, continuity of government, phases of emergency management, and relationships with federal counterparts.

    2. Operational considerations including hazards analysis, activation of the plan, roles and responsibilities, SEMS organization, agency coordination, mutual aid, emergency operations center function, and use of the Response Information Management System (RIMS).

    3. Recovery operations information relating to damage assessment, disaster assistance, the recovery organization, and hazard.

- **Local Planning Guidance on Terrorism Response** (A supplement to the *Emergency Planning Guidance for Local Government*). The purpose of the document is to provide planning guidance for the integration of federal, state and local government into a cohesive terrorism response organization at the local level; the identification of terrorism response planning requirements and shortfalls; the development of terrorism response plans and procedures; and the identification of training needs and requirements to support terrorism response efforts.

- **County Hazardous Waste Management Plans (CoHWMP)** (also known as County Tanner Plans) address the hazardous waste generation within a county and how the waste will be minimized, reduced, recycled, treated, stored, or disposed. The CoHWMPs also establish hazardous waste facility siting criteria and should include hazardous waste emergency mitigation, preparedness, and response activities.

Regional

- **Local Emergency Planning Committee (LEPC) Emergency Plans** are developed pursuant to Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III), also known as the Emergency Planning and Community Right to Know Act (EPCRA) found in Title 42, United States Code, § 11003(a). These plans are designed to build on the area plans of local government and business plans within the emergency planning district. A Governor's Executive Order has designated the six OES mutual aid regions as the emergency planning districts for the plans that address regional mutual aid, hazardous materials transportation issues, hazard analysis, and coordination of incidents that cross-jurisdictional boundaries.

- **Harbor Safety Plans** are created pursuant to California Government Code § 8670.23.1. Harbor Safety Committees were created in each of the major active port areas in the state to address oil spill prevention issues in those regions. The plans created by the committees are designed to ensure safe navigation and operation of vessels within each harbor. The OSPR has developed regulations for the plans, which are found in 14 CCR 802.

- **Region IX Mainland Regional Contingency Plan (RCP)** is designed to coordinate timely and effective responses by various federal and state agencies and other organizations to discharges of oil and releases of hazardous substances, pollutants, and contaminants to protect public health, welfare, and the environment. It is meant to ensure that the roles and responsibilities of federal, state, local, and other responders are clearly defined. The plan also describes the Regional Response Team (RRT) organization and its relationship to other contingency plans. The RRT overseas the response operations and removal & remedial actions of hazardous substance; the use of chemical countermeasures such as dispersants and surface washing agency; state-specific response information; notification procedures and natural resource trustee contacts. The Region IX Mainland RCP is supplemented by marine area plans and inland sub-area plans, which provide detailed information on area of environmental or special economic importance. The RCP also identifies those minimum components of an Inland Area Contingency Plan, which best support the first responders. (See marine and inland area planning below.)

- **Marine and Inland Area Contingency Plans (ACPs)** are required by Section 311(j) of the federal Clean Water Act. They are developed and maintained by Area Committees comprised of qualified personnel of federal, state, and local agencies. Area Committees, under the direction of a federal On-Scene-Coordinator (FOSC), are responsible for preparing ACPs as described in National Contingency Plan (NCP) Section 300.210(c). Although Area Plans are "owned" by their Area Committees, the lead federal agency for marine area plans is the U.S. Coast Guard (USCG) and for inland area plans it is the U.S. Environmental Protection Agency (EPA). Area Committees are also responsible for working with appropriate federal, state and local officials to enhance the contingency planning of those officials and to assure pre-planning of joint response efforts.

  Area Plans, when implemented in conjunction with other provisions of the NCP and the Regional Contingency Plan (RCP), shall be adequate to address a worst-case discharge of oil as defined in the NCP.

- **Marine ACPs:** In California, there are six geographical marine Areas and Area Committees along the coast and three Area Contingency Plans. Each Area Committee, chaired by the USCG and co-chaired by California Department of Fish and Game OSPR, is comprised of a diverse group of participants from federal, state and local agencies with expertise in environmental and response issues, as well as industry representatives and special interest groups.

- **Inland ACPs:** Currently in California there are six sub-area plans in various stages of completion or currency, including the Upper Sacramento River Geographical Response Plan, Lower Colorado River Plan, Truckee River Geographical Response Plan, Carson/Walker Geographical Response Plan, Tahoe Basin Plan, and the Feather River Plan. A California Inland Area Committee comprised of federal and state agencies is in its early stages of development and is working closely with California OES and California DFG OSPR in improving multi-agency response in California and identifying and prioritizing areas of significant environmental and public health importance.

Statewide

- **California State Emergency Plan** defines the emergency management system used for all emergencies in California. It describes the California Emergency Organization; establishes the policies, concepts, and general protocols for implementing the Standardized Emergency Management System (SEMS); explains the use of mutual aid and assistance during declared and non-declared emergencies; provides guidance on the responsibilities and potential emergency assignments of state agencies; and discusses supporting plans and procedures. The following documents are annex to the State Emergency Plan:

  - **California Terrorism Response Plan (TRP)** is an *Annex to the State Emergency Plan* and is a critical document for guiding and directing the management of emergency and disaster operations related to terrorism incidents. This document describes not only the State government's response to terrorism incidents, but also the response of all levels of government.

- **California Nuclear Power Plant (NPP) Plan**, is an *Annex to the State Emergency Plan*, identifies supplemental actions and positions to the state's emergency organization and its support to state agencies and local jurisdictions in the event of a radiological emergency at a nuclear power plant. This plan is required pursuant to the California Government Code § 8610.5 and follows the guidance provided in NUREG-0654, FEMA REP-1, "*Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants*."

- **California State Toxic Disaster Contingency Plan (STDCP)** is required pursuant to California Government Code § 8574.16. The STDCP is a supporting document of the State Emergency Plan. The required elements of the STDCP are found in California Government Code § 8574.17.

- **Hazardous Materials Incident Tool Kit (Tool Kit)** The Tool Kit describes the state's hazardous materials emergency response organization and emergency management system; the roles and responsibilities of local, state, and federal agencies; the relationship of government agencies, industry, volunteers, and private organizations; and the relationship of the Tool Kit with other plans relating to the release, or threatened release, of hazardous materials, including chemical, oil, radiological, and biological materials. The Tool Kit is intended to be used as a guidance document as a supplement to the STDCP.

- **California Oil Spill Contingency Plan** is the state oil spill and marine oil spill contingency plan as required pursuant to California Government Code § 8574.1 and § 8574.7. OSPR combined the California Oil Spill Contingency Plan and the Marine Oil Spill Contingency Plan into one plan.

- **California Radiological Emergency Response Plan** is the state's plan for responding to radiological incidents. It identifies participating government agencies, delineates responsibilities, and sets forth the general concept of operation should the pubic health or safety be threatened by a radiological incident. This plan provides the basis for the development of detailed response plans, procedures, and capabilities by state and local agencies. It also relies on the Nuclear Power Preparedness (NPP) Plan and radiological assistance capability provided in an emergency by the Federal Radiological Emergency Response Plan (FRERP).

- **California Hazardous Waste Management Plan** is the culmination of hazardous waste management planning done at the local and regional level. The Hazardous Waste Management Plan addresses the total hazardous waste generated in California and how best to minimize, recycle, treat, store, and dispose of the waste. Facility siting and emergency response are also addressed in the plan.

- **California Hazardous Waste Capacity Assurance Document** is a plan developed pursuant to CERCLA § 104(c)(9). California is required to show the federal government that it has the capability to manage all of its hazardous waste for a 20-year period.

- **State Agency Emergency Plans** are developed in support of the State Emergency Plan to guide each agency's response to emergencies and disasters. State agencies are required to develop, maintain, and carry out emergency plans and procedures as part of the California Emergency Organization. These plans are required pursuant to the State Emergency Plan, page 49, Part One, Attachment N; and pursuant to Governor's Executive Order W-9-91, draft copies of agency emergency plans and procedures designed to carry out emergency assignments shall be submitted to the Director, Office of Emergency Services, for review and approval prior to publication.

- **California Response to Foreign Animal Disease** the purpose of this document is to outline considerations related to Foreign Animal Disease (FAD) response for executive managers, EOC personnel and responders. Effective coordination of large FAD outbreaks will require coordination of not only the critical veterinarian response but of the many expected missions in support of those specialized activities. This document emphasizes support for a California Department of Food and Agriculture and U.S. Department of Agriculture (USDA) response beyond their current capabilities.

Federal

The **National Response Plan** (NRP) was created as a result of *Homeland Security Presidential Directive 5 (HSPD-5)*, issued on February 28, 2003, by President George W. Bush, to "integrate Federal Government domestic prevention, preparedness, response, and recovery plans into one all-discipline, all-hazards plan" under the authority of the Secretary of Homeland Security. The purpose of the NRP is to enhance the ability of the United States to prepare for and to manage domestic incidents by establishing a unified, all-discipline, and all-hazards approach to domestic incident management. To accomplish this goal, the NRP ensures:

- Coordination at all levels of government - tribal, local, State, and Federal - and cooperation with the private sector; and
- Federal government to work effectively and efficiently with State and local agencies to prevent, prepare for, respond to, and recover from domestic incidents by establishing a common response framework (NIMS) to be used at all levels.

The NRP became effective in December 2004. The NRP has seamlessly integrated existing operational processes, procedures, and protocols from other plans, while other plans have been incorporated by reference in an 'Incident Annex'.

- **Superceded four months after the effective date:**
  - Initial National Response Plan (INRP)
  - Federal Response Plan (FRP)
  - Federal Radiological Emergency Response Plan (FRERP)
  - US Government Domestic Terrorism Concept of Operations Plan (CONPLAN)

- **Incorporated in the Incident Annex**:
  - National Oil and Hazardous Substances Pollution Contingency Plan

- **National Oil, Hazardous Substances, Pollutants, and Contaminants Contingency Plan (NCP)** is the Nation's main hazardous materials emergency response plan. It is promulgated in Title 40, Code of Federal Regulations, Part 300. The NCP is designed to provide for efficient, coordinated, and effective action to minimize adverse impact from oil discharges and hazardous substance releases. The NCP contains the national response strategy that provides the framework for notification, communication, logistics, and responsibility for response to discharges of oil, including worst-case discharges, and discharges that pose a substantial threat to the public health or welfare of the United States. The NCP is supported by the Region IX Regional Contingency Plan (RCP) and Marine and Inland Area Contingency Plans. A copy of the NCP can be downloaded from www.nrt.org, click on "Relevant Statutes and Regulations".

- **Region IX Mainland Regional Contingency Plan (RCP)** is designed to coordinate timely and effective responses by various federal agencies and other organizations to discharges of oil and releases of hazardous substances, pollutants, and contaminants to protect public health, welfare, and the environment. It is meant to ensure that the roles and responsibilities of federal, state, local, and other responders are clearly defined. The plan also describes the Regional Response Team (RRT) organization; its relationship to other contingency plans, response operations, and removal & remedial actions of hazardous substances; the use of chemical countermeasures such as dispersants and surface washing agents; state-specific response information; notification procedures and natural resource trustee contacts. The Region IX Mainland RCP is supplemented by marine area plans and inland sub-area plans, which provide detailed information on areas of environmental or special economic importance. The RCP also identifies those minimum components of an Inland Area Contingency Plan, which best support the first responders (See Regional marine and inland area planning).

- **Federal Radiological Emergency Response Plan (FRERP)** is the federal response plan for peacetime radiological emergencies. The FRERP provides the federal government's concept of operations based on specific authorities for responding to radiological emergencies and outlines federal policies and planning assumptions that underlie this concept of operations. Federal agency response plans (in addition to their agency-specific policies) are based on the FRERP. All federal response is coordinated through a lead federal agency. The FRERP also includes the Federal Monitoring and Assessment Plan for use by federal agencies with radiological monitoring and assessment capabilities.

Interagency Organizations

In California, there are several organizations that assist in the coordination of hazardous materials emergency planning and response. Some are multi-purpose (e.g., hazardous waste, toxics advisory, disaster councils), while others are solely devoted to hazardous materials. The following summarizes several specific statewide organizations in which state and local agencies actively participate.

State Emergency Response Commission (SERC)

The Governor's Executive Orders D-63-87 in 1987 and W-40-93 in 1993 established the State Emergency Response Commission (SERC). The SERC has oversight responsibility for the implementation, within California, of federal hazardous materials emergency planning and community right-to-know (EPCRA) requirements embodied in the Superfund and Reauthorization Act of Title III. The SERC has designated six Local Emergency Planning Committees (LEPCs), which coincide with the California's six fire mutual aid regions. The LEPCs were appointed to:

- Coordinate the implementation of the EPCRA requirements at the regional level;
- Develop hazardous materials regional plans; and
- Improve the coordination and capabilities of local government to mitigate the effects of, and to respond to, hazardous materials incidents.

Hazardous Waste Strike Force (HWSF)

In accordance with the H&SC 25197.2(a), the California Department of Toxic Substances Control (DTSC) is required to establish a statewide Hazardous Waste Strike Force (HWSF) to standardize programs and coordinate the activities among state agencies, in order to uniformly enforce state hazardous waste statutes and regulations. The HWSF may be involved in a post-incident enforcement action where state or federal agencies are involved, or when the enforcement action is beyond the capabilities of local government.

The HWSF is chaired by a DTSC representative and consists of a representative from each of the following California State agencies:

- Department of Transportation
- Department of Industrial Relations
- Department of Food and Agriculture
- Water Resources Control Board
- Air Resources Board
- Department of Highway Patrol
- Office of the State Fire Marshal in the Department of Forestry & Fire Protection
- Integrated Waste Management Board
- Department of Fish and Game
- Office of Emergency Services
- Department of Toxic Substances Control
- Attorney General's Office
- Department of Pesticide Regulation

Cal/EPA Emergency Response Multi-Agency Coordinating Group (ERMAC)

Cal/EPA Emergency Response Multi-Agency Coordinating (ERMAC) Group was initially formed to address emergency response coordination issues identified within Cal/EPA following the Northridge earthquake in 1994. The ERMAC Group, consisting of designated representatives from Cal/EPA and OES, meets on a regular basis to ensure that Cal/EPA's boards, departments, and offices carry out emergency response planning, preparation, and incident response functions in a coordinated and effective manner. A critical part of the ERMAC Group's mission is to ensure that effective interagency communications are maintained so that the appropriate resources and support can be provided to personnel responding to emergency/disaster situations.

State Interagency Oil Spill Committee (SIOSC)

Pursuant to Sections 8574.1 *et. seq.,* the State Interagency Oil Spill Committee (SIOSC) addresses the need for a specific response to land and water releases of oil and petroleum products within California. SIOSC is composed of representatives from 20 state agencies and is chaired by the Administrator of OSPR. Federal agencies and oil spill cooperatives are also invited to attend SIOSC meetings. SIOSC also provides the following:

- Establishes and maintains liaison with federal and local agencies, and public and private organizations engaged in oil pollution prevention and control.
- Coordinates day-to-day procedures and practices between state agencies and other organizations relative to the prevention and mitigation of oil pollution from oil discharges.
- Recommends necessary research, development, and testing by appropriate organizations of materials, equipment, and methods related to oil spill prevention and control.
- Prepares and updates the California Oil Spill Contingency Plan.
- Provides guidance and state agency input to the RRT, Federal On-Scene Coordinator, and State Liaison Coordinator in an oil spill emergency.
- Provides for the review of all state oil spill-related regulations and guidelines by a review subcommittee within SIOSC. Comments are forwarded from the committee members to the submitting agency for consideration and action.

Technical Advisory Committee (TAC)

The Technical Advisory Committee (TAC) was established pursuant to Government Code (GC) § 8670.54 to provide public input and independent judgment of the actions of the OSPR Administrator and SIOSC. TAC consists of nine members, five of whom are appointed by the Governor, two by the Speaker of the Assembly and two by the Senate Rules Committee. These appointees must have experience, knowledge, and expertise in the following areas:

- Public representation
- Marine transportation
- Local government
- State government
- Petroleum industry
- Oil spill response and prevention programs
- Environmental protection and the study of ecosystems

The Committee meets as often as necessary, but at least twice a year, and provides the following:

- Recommendations to OSPR, State Lands Commission, California Coastal Commission, and SIOSC on any provision of Chapter 7.4 of the California Government Code, including the promulgation of all rules, regulations, guidelines, and policies.

- Reports annually to the Governor and the Legislature on their evaluation of oil spill response and preparedness programs within California.

- May study, comment, or evaluate any aspect of oil spill prevention and response in the state, coordinated with on-going studies by the federal government, OSPR, State Lands Commission, State Water Resources Control Board, and other state and international entities.

- May attend any oil spills or drills, if practicable.

Regional Response Team IX (RRT-IX)

Regional Response Team IX (RRT-IX) is responsible for regional planning and preparedness activities before response actions occur, and for providing advice and support to the Federal On-Scene-Coordinator (FOSC) during a response. The U.S. EPA and U.S. Coast Guard co-chair the RRT. Membership consists of designated representatives from each of 16 federal agencies participating on the National Response Team (NRT), state and tribal representatives and, as agreed upon by the states, local government representatives. The three states in Region IX Mainland are California, Arizona, and Nevada. The State of California is co-represented on the RRT by California DFG OSPR and California OES.

The RRT, like the National Response Team (NRT), is a planning, policy and coordinating body for oil and hazardous substances emergency response. The RRT consists of a "Standing Team" responsible for communications, planning, coordination, training, evaluation, and preparedness on a region-wide basis. During an actual incident, the RRT does not respond directly to the scene; however, an "Incident Specific Team" of individual members of the RRT may be requested to provide specific advice or assistance to the FOSC. The RRT maintains a Regional Contingency Plan (RCP) for the federal Region IX Mainland Area (Arizona, California, and Nevada), and provides guidance to regional contingency planning Area Committees.

National Incident Coordination Team (NICT)

The National Incident Coordination Team (NICT) serves as a focal point for overall coordination of EPA's response activity and supports regional response personnel during major disasters, such as the 1994 Northridge earthquake. It also serves as an official channel for the flow of information between EPA headquarters and the Regional Incident Coordination Team in the affected region. As appropriate, the NICT ensures accuracy, consistency, and timeliness of information to the USEPA Administrator, the White House, Congress, other federal and state agencies, foreign governments, and the media.

The NICT consists of one senior-level representative from each EPA office at headquarters in Washington D.C. The NICT is chaired by the Director of EPA's Chemical Emergency Preparedness and Prevention Office, within the Office of Solid Waste and Emergency Response (OSWER). There is also a NICT equivalent organization at the regional level called the Regional Incident Coordination Team (RICT).

The NICT can be activated in the event of an oil discharge or a hazardous substance release that crosses regional boundaries or that overwhelms the response capability of the USEPA regional office(s). It could also be activated if there is a significant threat to population or potential large-scale damage to property or natural resources.

The NICT is activated by the Agency's Emergency Coordinator, in consultation with the Administrator, Deputy Assistant Administrator, or the Assistant Administrator for OSWER. The USEPA, through the NICT, is able to assemble extensive resources for successful response and communication during a national emergency.

Resource Development

Overview

To effectively respond to hazardous materials incidents, specialized resources are necessary, including personnel, equipment, and supplies. Sometimes, equipment and supplies that would normally have other applications are used during a hazardous materials incident. These might include dump trucks, bulldozers, cranes, sand, self-contained breathing apparatus, and foam. Response personnel must be adequately trained to use specialized equipment and to apply conventional resources to hazardous materials incidents. Equipment and supplies should be appropriate for anticipated hazards and consistent with the responsibilities of the agency and the level of trained personnel.

State and local agencies and commercial contractors, together, have numerous resources to assist in responding to a release of hazardous materials. Some agencies have responsibility (jurisdictional, geographical, or legal) over all or part of a hazardous materials incident, while other agencies may provide assistance, utilizing their technical expertise or by making available the necessary resources. When an incident does occur, the key is to blend these agencies and their resources into a cohesive, organized structure. In addition to state and local agency expertise, the United States Environmental Protection Agency (USEPA) and the California Department of Toxic Substance Control (DTSC) have standing contracts with commercial contractors. These resources are available in most areas of the state.

This process of using specialized resources is further explained in the SEMS section of this plan. Hazardous materials response resource inventories may be found in some local and state plans for a particular geographic area or department. It is anticipated that a list of hazardous materials response resources owned or maintained by state and local agencies will eventually be made available electronically on the Response Information Management System (RIMS), a database developed and managed by OES. Those who have access to RIMS, via Lotus Notes and/or the internet, will be able to view this information. However, the agency responsible for the resources listed will have the ability to access the system to update their portion of the resource list.

Acquisition Process

The response resources necessary to continue to respond to a hazardous materials incident will be requested and coordinated through the SEMS system. In addition, each level of SEMS is responsible for keeping the next level informed of essential information regarding the development and status of the response. If local government exhausts their resources and cannot obtain additional resources, they should request the additional resources from their operational area (OA). The OA will provide the requested resources, to the extent possible, from within the OA (county, cities, special districts). If the OA cannot adequately provide that support, they should request state resources through the Regional Emergency Operations Center (REOC).

The California Governor's Office of Emergency Services (OES), through the REOC, may task a state agency to provide the resources to the OA. In the event that state resources are exhausted, the REOC forwards the request to the State Operations Center (SOC), which makes the request for federal resources through FEMA, utilizing the appropriate Emergency Support Function (e.g., ESF-10 for hazardous materials).

Training

Introduction

Safe, effective, and coordinated response to a hazardous materials incident requires the application of specialized techniques and organizational concepts, ranging from basic awareness to highly technical skills. In general, individual organizations are responsible for providing tactical training related to their missions. During the preparedness phase, it is the responsibility of the response organization to ensure that their employees receive the appropriate training and equipment necessary to perform tasks that may be required during an emergency response. During an emergency response, it is the responsibility of both the individual responders and their organizations to avoid performing a function for which they are not adequately trained or equipped.

Federal and state regulations address training requirements for hazardous materials emergency responders and hazardous waste site workers. Federal worker safety standards are contained in 29 CFR 1910.120. The standard, entitled Hazardous Waste Operations and Emergency Response (HAZWOPER) has two parts; requirements for workers at hazardous waste sites and requirements for responders to hazardous materials releases regardless of where they may occur.

State requirements are found in 8 CCR 5192. The code requires the use of the Incident Command System (ICS), including the appointment of a safety official, and mandates training for workers who may be called upon to respond to an actual or threatened hazardous materials release.

The training curriculum must include, at a minimum, recognition of hazards, selection, care and use of personal protective equipment, and safe operating procedures to be used at the incident scene. The training should be appropriate for the individual's job responsibilities and the situations that may be encountered as part of the worker's employment. Minimum training provisions for local governments and businesses that handle hazardous materials are contained in H&SC 25503 & 25504, and 19 CCR 2428, 2725, & 2732, respectively.

State Training Program

Government Code (GC) § 8574.20 requires OES to develop and manage the California Hazardous Substances Incident Response Training and Education Program to provide approved classes in hazardous substance response and to certify students who complete the courses. Regulations (19 CCR 2510-2560) were developed to implement the program. California's certified training program meets or exceeds the federal training requirements.

The California Specialized Training Institute (CSTI), as the training organization of OES, provides certified training for hazardous materials response, including the Standardized Emergency Management System (SEMS), First Responder Awareness and Operations, Hazardous Materials Specialist and Technician, Incident Command, Safety Officer, Train the Trainer, and Executive Management. Specialized courses in radiological response; decontamination; rail cars and cargo tanks; clandestine drug labs; response to terrorist incidents involving nuclear, biological and chemical weapons; and criminal investigation of environmental crimes are also provided.

The California State Fire Marshal's Office (SFM), within the Department of Forestry and Fire Protection (CDF), provides training to all of its response personnel, to other responders, and to other agencies upon request at a variety of locations, including the CDF academy and local field classes.

The California Highway Patrol (CHP) provides training for its own personnel and can provide first responder and incident commander training throughout the state upon request of allied emergency response agencies. CHP also provides training in enforcement and investigations related to hazardous materials and hazardous waste crimes for allied law enforcement agency personnel.

The University of California Extension, California Community Colleges, and the private sector also provide training for emergency responders and hazardous waste site workers. Courses include medical response to hazardous materials incidents, first responder, hazardous waste technician, and other areas mentioned above. Hazardous Waste Operations & Emergency Response (HAZWOPER) training may also be commercially obtained from the major hazardous materials response contractors.

Drills & Exercises

Introduction

The key to testing the effectiveness of a response organization, emergency plans, procedures, training, and equipment lies in conducting drills and exercises. Drills and exercises must be regularly conducted in realistic situations to develop a response organization into an effective coordinated team, which functions smoothly and efficiently during an actual emergency. It is important, therefore, that every emergency response program include a schedule of drills and exercises. Exercising emergency organizations and emergency plans provides information needed for:

- Determining capabilities and limitations,
- Improving plans and procedures,
- Identifying any shortfalls in response resources,
- Evaluating the effectiveness of training, and
- Allowing responders to get to know one another and practice their skills, both individually and interactively.

The term "drills" is often used along side the term "exercises" when describing a means to test a plan's effectiveness. Drills are brief repetitions of one specific action and are usually conducted by individual agencies or businesses to assure that their personnel know and understand their internal SOPs. Exercises use different types of activities to test a plan, while the purpose and complexity of these activities varies. There are generally several recognized exercise types. Those exercise types common to FEMA, USEPA, and the USCG are described in further detail below.

Orientation Sessions

Orientation sessions work well for basic instruction and introducing participants to emergency plans and procedures. The low stress environment allows participants to absorb new information and ask any questions for clarity. Written tests may be employed to ensure some level of comprehension by the attendees.

Tabletop Exercise	Tabletop exercises are often the first type of exercise to be performed, during which a typical emergency scenario is used. Related emergency plans and procedures are reviewed by the appropriate response organizations, and discussions on how response actions might be taken are conducted based on the scenario provided. Potential problems are identified and each entity present must provide certain information necessary to address the problems. The idea is to present the participants with a fabricated emergency situation, have the participants verbally respond to a series of questions, practice problem-solving, and evaluate whether the responses are consistent with the emergency plans, procedures, and/or training. If the responses are not consistent, revisions or additional training must be undertaken. This type of exercise permits "time-outs" to further discuss response actions, and generally involve command personnel and mid to upper level managers. No real movement of personnel or resources occurs, and no time pressure or stress is placed on the participants.
Functional Exercise	The functional exercise tests or evaluates broad functional capabilities in an emergency plan, and involves the simulated commitment of resources in a stressful environment - similar to an actual emergency. By using a series of pre-scripted, time-sequenced messages, the simulation team sends information to players assigned to implement the emergency plan or procedures. Both the simulators and players responding to the exercise are focused on implementing the plan and/or procedures to test their validity. While a tremendous amount of employee time is needed to develop and stage a functional exercise, it is the most appropriate use of time to test the emergency plan, procedures, and/or training.
Full-Scale Exercise	Large full-scale exercises are conducted in the field and are the most costly and time-consuming of the different types of exercises - but are as close to "real" as it gets! This type of exercise challenges the whole emergency management system in an intensely stressful environment (usually based on "real" time). Simulated events and messages are used to test a major portion of the emergency plan. Personnel and resources are actually mobilized to and moved within an incident scene, and field personnel interact with emergency operation centers.
After Action Reports/Exercise Critiques	As in real incidents, each exercise should have an after action report or exercise critique to ensure that the exercise met its objects and to clearly define additional planning or training that may be necessary. It also can identify resource shortfalls in terms of equipment, supplies, personnel, and training. Exercise critiques should always be conducted in a low stress environment. They should not focus on the exercise participants' performance, rather on whether plans, procedures, training, and equipment are adequate for performing required response duties.

SECTION 3.0 - RESPONSE

Response Phase

The response phase consists of the immediate response to a hazardous materials incident to minimize its effects on public health, property, and the environment. It includes measures such as notification, implementation of emergency plans, activation of emergency operation centers (EOC's), mobilization of resources, issuance of warnings and directions, provisions of medical and social services assistance, and proclamation of emergencies or disasters as enabled by appropriate legislation.

Notification

What is notification?

Notification is the process that ensures that the appropriate entities are informed of a hazardous materials incident and the related details (who, what, when, where). The California State Warning Center is intended to be used as the single point for making notifications to the appropriate federal, state, and local agencies [GC 8574.17 (b)]. This, however, does not relieve a person from complying with the reporting requirements of other agencies. Since other regulating agencies have different notification requirements, it is prudent to know and understand each agency's notification requirements prior to an incident.

Upon receipt of a report or notification that an emergency situation is occurring or likely to occur, the California State Warning Center takes immediate action to notify the appropriate federal, state, and local authorities in order to save lives, and protect the environment, and property.

The following is a discussion of the methodology of ensuring that appropriate local, state, and federal agencies are notified of a hazardous materials or oil spill incident. Failure to notify may expose the public, property, and environment to significant harm, delay needed response resources and funding mechanisms, and the Responsible Party (RP) may be potentially liable for significant penalties and damage claims.

Verbal Notification

Business

It is required in 19 CCR 2703 that verbal notification must be made *immediately*, without impeding immediate control of the release or threatened release or immediate emergency medical measures. Verbal notification must be made by:

- Any person who has knowledge of an actual or potential release of hazardous materials that:
  - Poses a hazard to human health and safety, environment, or property (notification should be made even if the impacts are potential or delayed); and/or
  - Is equal to or exceeds the CERCLA Federal Reportable Quantity (RQ) listed in 40 CFR, Part 355, Appendix A.

Note: A "**person**" is defined in 19 CCR 2650 as any employee, authorized representative, agent or designee of a handler. And a "**handler**" is further defined in H&SC 25500 (m) as any business that handles hazardous materials.

If there is a reasonable belief that the release or threatened release does NOT pose a significant hazard (present or potential) to human health and safety, property, or the environment, then immediate notification is NOT required. However, if there is any question in the mind of the person who has observed the release/threatened release, then notification should be made.

Verbal notification should be made to the following agencies:

- ☑ 911 or the local emergency response agency; and
- ☑ CUPA/AA/PA - if different from the 911 agency; and
- ☑ California State Warning Center at (800) 852-7550 or (916) 845-8911.

Additional agencies that may require verbal notification:

- National Response Center at (800) 424-8802, if the spill equals or exceeds CERCLA Federal Reportable Quantities, or *any amount* of oil reaching, or having the potential of reaching, navigable waters of California.

- Other agencies, as required (be sure to know each agency's notification requirements PRIOR to an incident). These agencies may include, but not be limited to, the following:

    - California Highway Patrol (CHP)
    - California Department of Toxics Substances Control (DTSC)
    - California Department of Transportation (Caltrans)
    - California Division of Oil, Gas, and Geothermal Resources (DOGGR)
    - California Department of Fish and Game, Office of Spill Prevention and Response (OSPR)
    - California Public Utilities Commission (CPUC) or (PUC)
    - California State Water Resources Control Board (SWRCB)
    - California Regional Water Quality Control Board (RWQCB)
    - California State Lands Commission (SLC)
    - California Department of Pesticide Regulation (DPR)
    - United States Environmental Protection Agency (USEPA)
    - United States Coast Guard (USCG)

RESPONSE AGENCIES

Although the bulk of the responsibility for notification lies with the private sector, responding agencies must also make the appropriate notifications, as follows:

- State agencies and departments that become aware of significant emergency situations must notify the California State Warning Center (Governor Davis' memorandum 1/15/99).

- Any local or state agency responding to an oil spill must notify the California State Warning Center (GC) § 8670.26).

- Any emergency rescue personnel responding to a hazardous substances spill within ½ mile of a school must notify the superintendent of the affected school district (H&SC 25507.10).

- Any designated government employee must report any hazardous waste discharge that they become aware of within their jurisdictional boundary to the local health department or board of supervisors (H&SC 25180.7).

California State Warning Center

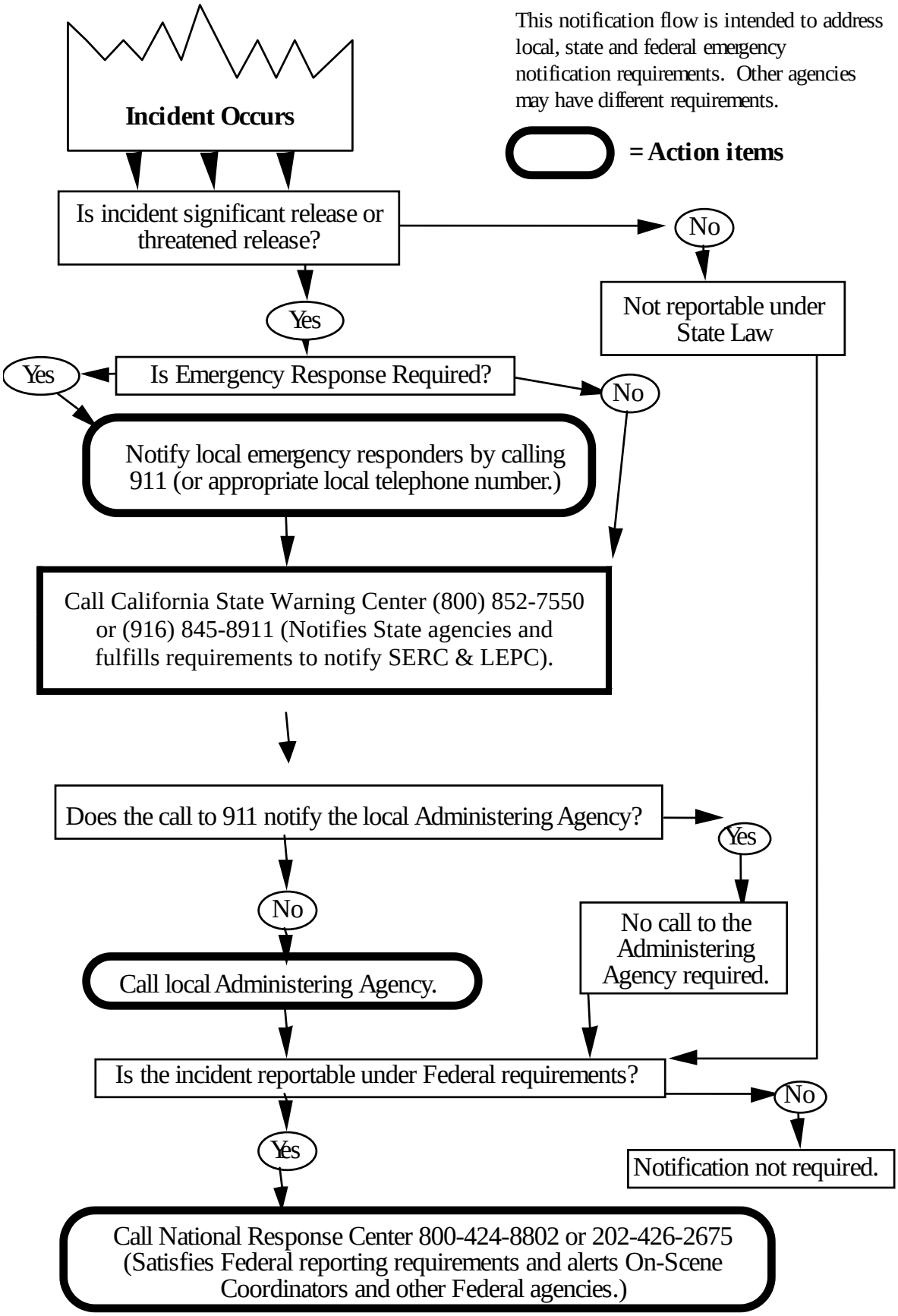
The 24-hour telephone number for the California State Warning Center is:

- **(800) 852-7550** (within California Only)
- **(916) 845-8911**

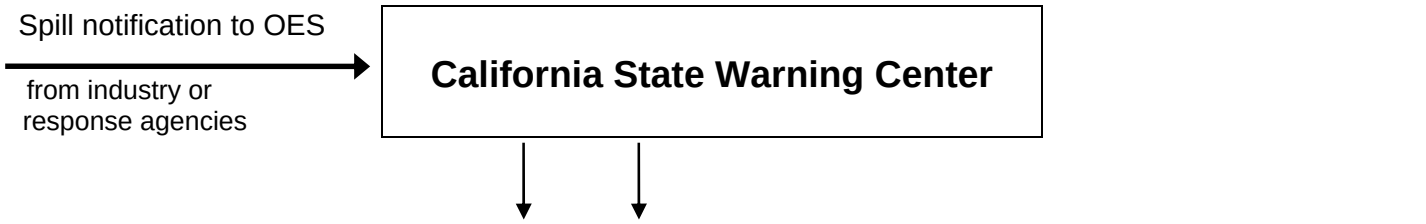
The California State Warning Center is a single point of notification for all state agencies, as well as federal and local agencies. When adequate spill information is received, the California State Warning Center will assign a spill control number to the incident that can be used to track various activities associated with the incident. Notifying the California State Warning Center will satisfy the requirement to notify the State Emergency Response Commission and the LEPCs as required under Section 304 of SARA Title III. At a minimum, be prepared to provide the following information when calling the California State Warning Center:

- Who is making the notification and who is the responsible party, if different - name, address, and phone number;
- Where did the release occur? (exact location, address, and county)
- What was the material involved in the release/threatened release?
- What was the quantity released/threatened to be released?
- What are the potential hazards presented by this release/potential release, if known?
- How did the release happen?
- Whether or not a body of water is affected.
- Local agencies that are on-scene and/or notified.
- What containment and/or cleanup actions have been taken?

The following illustrates the decision-making process for notification, and the list of agencies that are contacted by the California State Warning Center. It should be noted that in the event of a hazardous materials incident, the California State Warning Center can also assist responding agencies in contacting other response agencies during business hours and after-hours.


This notification flow is intended to address local, state and federal emergency notification requirements. Other agencies may have different requirements.
= Action items
Incident Occurs
Is incident significant release or threatened release?
No
Not reportable under State Law
Yes
Is Emergency Response Required?
Yes
No
Notify local emergency responders by calling 911 (or appropriate local telephone number.)
Call California State Warning Center (800) 852-7550 or (916) 845-8911 (Notifies State agencies and fulfills requirements to notify SERC & LEPC).
Does the call to 911 notify the local Administering Agency?
Yes
No
No call to the Administering Agency required.
Call local Administering Agency.
Is the incident reportable under Federal requirements?
No
Yes
Notification not required.
Call National Response Center 800-424-8802 or 202-426-2675 (Satisfies Federal reporting requirements and alerts On-Scene Coordinators and other Federal agencies.)

Notification Flow Decision Tree



1. Receive report and copy info to a "*Spill Report Form"*
2. Notification within OES → **OES** Region(s), Hazardous Materials Unit, Fire & Rescue Branch, & Executive Duty Officer
3. Notify via RIMS, fax, phone, and/or page the following agencies:

Local Agencies

- CUPA/AA/PAs
- County OES
- East Bay Regional Park
- UC Santa Barbara

State Agencies

- Air Resources Board
- California Highway Patrol
- Cal/OSHA
- California Department of Transportation
- CA Coastal Commission
- California National Guard
- Emergency Medical Services Authority
- Department of Fish and Game - Office of Spill Prevention & Response
- Department of Fire & Forestry
- Department of Food & Agriculture
- Department of Health Services - District Office
- Department of Parks & Recreation
- Department of Pesticide Regulation
- Department of Toxic Substances Control
- Department of Water Resources
- Division of Oil, Gas, & Geothermal Resources
- Public Utilities Commission
- Regional Water Quality Control Board
- State Water Resources Control Board
- San Francisco Bay Conservation & Development Commission
- State Lands Commission
- Nevada State Emergency Operations Center

Federal Agencies

- National Response Center
- U. S. Coast Guard
- U. S. Environmental Protection Agency
- U. S. Fish and Wildlife Services
- U. S. Minerals Management Services
- Federal Emergency Management Agency
- U.S. Department of Health & Human Services
- U.S. Airforce
- U.S. Army
- U.S. Marines
- U.S. Navy

***NOTE**: Agency notifications are made according to Warning Controller Procedures, which are based on current laws and regulations, pre-determined criterion, and agreements made between OES and the agencies that want to be notified.*

***** Not intended to be all inclusive or applicable for all incidents *****

National Response Center

The 24-hour telephone number for the National Response Center is:

- **(800) 424-8802**, or
- **(202) 267-2675**

The federal government has its own single-point notification facility at the National Response Center (NRC). The NRC must be notified of oil spills, hazardous chemical releases, pipeline accidents, transportation accidents involving a hazardous materials or oil, a release of radioactive material, and a release of etiological or hazardous biological material in excess of federal reporting quantities.

Be prepared to report as much of the following as possible:

- Your name, address, and telephone number
- Name of the party or individual responsible for the incident
- Mailing address of the responsible party
- Telephone number of the responsible party
- Date and time that the incident occurred or was discovered
- Specific location of the incident
- Name of the material spilled or released
- Source of the spilled material
- Cause of the release
- Total quantity discharged
- Was material released to air, ground, water, or subsurface
- Amount spilled into water
- Weather conditions
- Vessel name, railcar/truck number or other identifying information
- Name of carrier
- Number and type of injuries or fatalities
- Whether evacuations have occurred
- Estimated dollar amount of property damage
- Description of cleanup action taken and future plans
- Other agencies that you have notified or plan to immediately notify

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Written Notification

Written notification must be made as soon as practicable, but no later than 7 days from the date of release.

Section 304 of SARA requires, as soon as practicable after a release occurs, that the facility provide written emergency release follow-up notices. The written report must be sent to the SERC and to the LEPC.

- **Emergency Release Follow-up Notice Reporting Form** (also known as the Section 304 Report, or Follow-up Report) is found in 19 CCR 2705.
  - Completed by a business responsible for the release;
  - Used for CERCLA chemicals that meets or exceeds the federal reportable quantity (RQ) only;
  - Submitted to OES, acting on behalf of the SERC/LEPC, Attn: Section 304 Reports at 3650 Schriever Ave., Mather, CA 95655.

- One form is filled out for each chemical released;
- If the incident involves a series of separate release of chemicals at different times, the releases should be reported on separate reporting forms.

The report must include an update on information required under the immediate notice provisions of the National Response Center, as well as the following additional information:

- Actions taken to respond to and contain the release; and
- Any known or anticipated health risks associated with the release; and, where appropriate, advice regarding medical attention necessary for exposed individuals.

- **DOT Hazardous Materials Incident Reporting System (HMIS) form**

A transporter must fill out a U.S. Department of Transportation Hazardous Materials Incident Reporting System (HMIS) form for all incidents that have been reported to the National Response Center or when there is any unintentional release of a hazardous material during transportation. Further information is available from the Information Systems Manager, Office of Hazardous Materials Transportation, DHM-63, Research and Special Programs Administration, U.S. Department of Transportation, Washington D.C. 20590.

Managing Emergency Operations

Objectives

This subsection of the Tool Kit establishes policies and procedures to ensure the effective management of emergency operations during the release or threatened release of a hazardous material. It describes the organization and structure of an appropriate response and provides state agencies with a basis for integrating their activities within the overall management of the incident response.

Specific objectives of managing emergency operations include:

- Establishing guidelines for the management and coordination of emergency operations.
- Establishing priorities, and adjudicating any conflicting demands for support.
- Establishing the framework for coordinating and maintaining liaison with appropriate federal, state, and other local governmental agencies and applicable segments of the private sector.
- Establishing the methodology for requesting and allocating resources and other support.
- Providing guidance for identifying and activating communications systems.
- Providing guidance for disseminating warnings, including evacuation and sheltering in place.
- Providing guidance for managing the movement, reception and care of persons in the event an evacuation is ordered.
- Providing guidance for collecting, evaluating, and disseminating damage information and other essential data.
- Providing guidance for the coordination of mutual aid.

Standardized Emergency Management System (SEMS)

Overview

In order to respond to multiple disasters occurring anytime and anywhere in the state, it is important that emergency response agencies operate within a clear and consistent organizational structure. Many different agencies must work together effectively to protect the public health, environment and property during disasters.

As a result of the October 1991 Oakland Hills fire, attention was drawn to the need for better coordination among emergency services responders. Senator Petris introduced SB 1841 (chaptered in California Government Code § 8607, effective January 1993) that directs OES to establish, by regulation, the Standardized Emergency Management System (SEMS). The SEMS regulations (19 CCR 2400 - 2450) took effect in September of 1994.

SEMS was established to provide an effective response to multi-agency and multi-jurisdictional emergencies in California, by standardizing key elements of the emergency management system. SEMS is designed to be flexible and adaptable to the varied disasters in California and to the needs of the emergency responders, and is intended to facilitate and improve: the flow of information; priority setting; interagency cooperation; and the mobilization, deployment, utilization, tracking and demobilization of resources. SEMS is derived from the Incident Command System, developed by FIRESCOPE. SEMS utilizes the concepts of ICS, not only at the field response level but also at the Emergency Operations Center (EOC) level.

Such use promotes familiarity and has proven to improve the efficiency of emergency responses throughout the state. All state agencies must use SEMS when responding to multi-agency or multi-jurisdictional emergencies. All local government *must* use SEMS to be eligible for state reimbursement of their response-related personnel costs in multi-agency or multi-jurisdictional emergency responses. Although federal agencies are not required to follow SEMS, many recognize the need to work within SEMS in California and are incorporating this into their response plans.

Key Components

SEMS incorporates the following key components:

1. Multi-agency or inter-agency coordination;
2. State's Master Mutual Aid Agreement and existing mutual aid systems;
3. Operational area concept; and
4. Use of the Incident Command System (ICS).

- **Multi/inter-agency coordination**

Multi/inter-agency coordination is the participation of affected agencies and disciplines, involved at any level of the SEMS organization, working together in a coordinated effort to facilitate decisions for overall emergency response activities, including:

- Establishing overall priorities and response strategies
- Allocating critical resources
- Sharing information
- Facilitating communications

A multi-agency or inter-agency group may be formally established during the planning process or during an emergency response to facilitate the above objectives. The group, involving representatives of government agencies, with jurisdictional responsibilities may meet regularly during a response or on an as needed basis.

- **Mutual Aid, and other Assistance Agreements**

Mutual Aid is the system used for obtaining additional emergency resources (equipment and/or personnel) from non-affected jurisdictions when an incident requires response resources that exceed the capabilities of the affected response agencies and/or jurisdictions. In a hazardous materials incident, mutual aid will most often involve providing a vehicle outfitted with specialized equipment for abating the release or threatened release of a hazardous materials, and personnel skilled in hazardous materials response.

The California Disaster and Civil Defense Master Mutual Aid Agreement (MMAA) was signed in 1950. Under this agreement, cities, counties, and the state have joined together to provide a comprehensive program of voluntarily providing services, resources, and facilities to jurisdictions when local resources prove to be inadequate to cope with a given situation. Written mutual aid plans and operating procedures have been developed for several discipline-specific mutual aid systems that function on a statewide basis within the Master Mutual Aid Agreement. The adoption of SEMS does not alter existing mutual aid systems. These systems work through local government, operational area, regional, and state levels consistent with SEMS.

In addressing a hazardous materials incident that may impact an agency or jurisdiction, each public agency should assess their own capabilities and limitations, and identify any response shortfalls. Agencies are further recommended to review current mutual aid agreements to ensure that hazardous materials response is included.

- **Operational Area Concept**

The Operational Area (OA) manages and/or coordinates damage information and resource requests among all the political subdivisions (local governments and special districts) within a county's geographical area. The OA provides communication and coordination between the local jurisdictions and OES Regions, via the OA Emergency Operation Center.

- **Incident Command System**

At the field level, the use of SEMS is intended to standardize the response to emergencies involving multiple jurisdictions and/or multiple agencies. SEMS requires the use of the Incident Command System (ICS) at the field level. The concept of using the ICS structure within the SEMS field response organization is based on the FIRESCOPE model of ICS, utilizing the following principles:

- Develop the organization to match the functions to be performed;
- Fill only those organizational elements that are required;
- Stay within the recommended span-of-control guidelines;
- Perform the function of any non-activated organizational element at the next highest level;
- Deactivate elements no longer required by the incident.

Organizational Levels

SEMS consists of the following five organizational levels, which are activated as necessary:

1. **Field:** On-scene responders.

2. **Local:** County, city, or special districts.

3. **Operational Area:** Manages and/or coordinates information, resources, and priorities among all local governments within the boundary of a county.

4. **Regional:** Manages and coordinates information and resources among operational areas within the OES region.

5. **State:** Statewide resource coordination integrated with federal agencies.

- **Field Response**

The field response level is where emergency response personnel and resources, under the incident commander or unified command, carry out tactical decisions and activities in direct response to an incident or threat. SEMS regulations require the use of ICS at the field response level of an incident.

- **Local Government**

Local governments include cities, counties, and special districts. Local governments manage and coordinate the overall emergency response and recovery activities within their jurisdiction. Local governments are required to use SEMS when their emergency operations center (EOC) is activated or a local emergency is declared or proclaimed, in order to be eligible for state funding of response-related personnel costs. In SEMS, the local government emergency management organization and its relationship to the field response level may vary depending upon factors related to geographical size, population, function, and complexity.

- **Operational Area**

The operational area is an intermediate level of the state's emergency services organization that encompasses the county and all political subdivisions within the county, including special districts. The operational area manages and/or coordinates information, resources, and priorities among local governments within the operational area, and serves as the coordination and communication link between the local government level and the regional level.

- **Regional**

The state is divided into three OES administrative regions and six mutual aid regions due to the size and geography. A Regional Emergency Operation Center (REOC) is located in each administrative region. The purpose of the mutual aid regions is to provide a more effective application and coordination of mutual aid and other emergency related activities.

The regional level manages and coordinates information and resources among operational areas within the mutual aid region, and also between the operational areas and the state level. The regional level also coordinates overall state agency support for emergency response activities within the region.

- **State**

The state level of SEMS manages state resources in response to the emergency needs of the other levels; coordinates mutual aid among the mutual aid regions, the regional level(s) (REOC) and state level (SOC). The state level also serves as the coordination and communication link between the state and the federal disaster response system.

SEMS Maintenance System

The purpose of the SEMS Maintenance System is to establish and formalize a process for ensuring on-going maintenance and operations related to SEMS. The SEMS Maintenance System consists of three levels of operation, as follows:

1. SEMS Advisory Board

The primary purpose of the Advisory Board is to give advice and recommendations to the Director of OES in the administration of the SEMS regulations. The responsibilities of the Advisory Board are to assist the Director of OES in matters related to maintaining and operating SEMS.

2. SEMS Technical Group

The Technical Group responds to the needs and directives of the Advisory Board and recommends policy changes to the Advisory Board. The Technical Group reviews and coordinates proposals/recommendations submitted by the Specialist Committees and Mutual Aid Regional Advisory Committees (MARACs). The Technical Group oversees the establishment and function of the Specialist Committees, as well as providing direction, analysis, and evaluation of their recommendations.

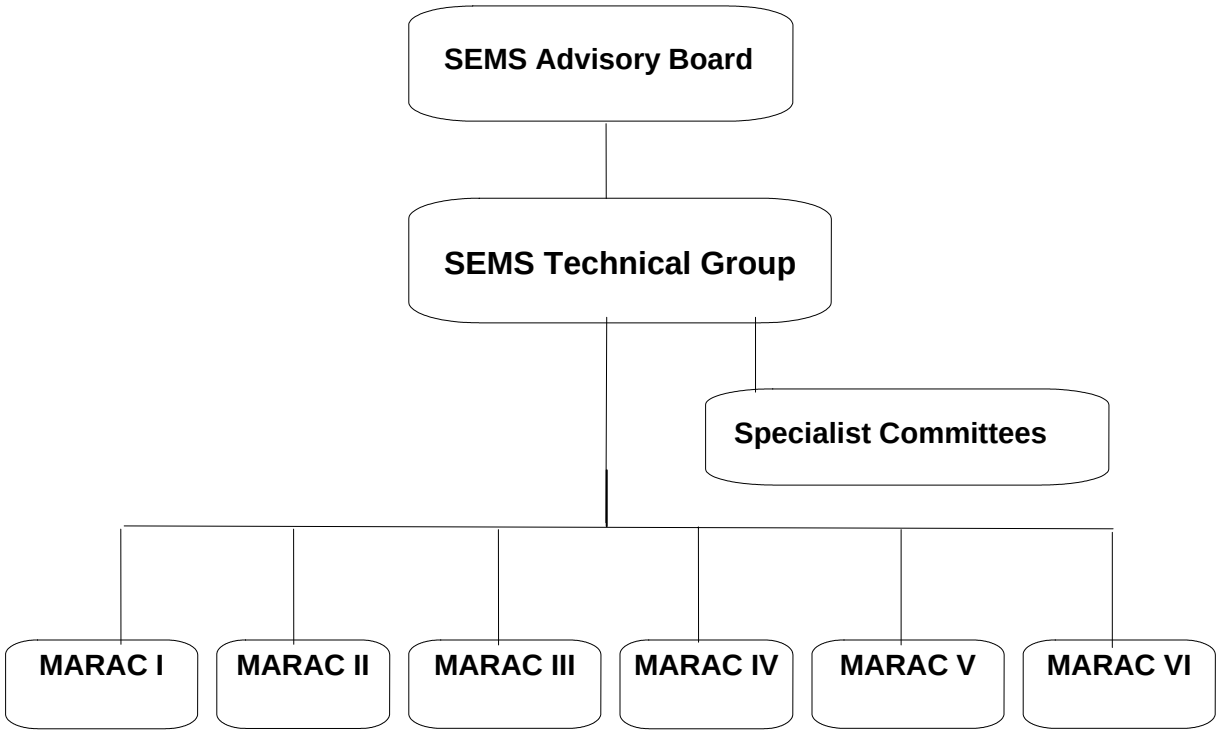
SPECIALIST COMMITTEES

Specialist Committees may be formed under the direction of the Technical Group as necessary, and the Technical Group decides membership. Specialist Committees only function on an "issue by issue" basis and are not intended to be permanent. Examples of Specialist Committees could include the following:

- Mutual Aid Systems
- Hazardous Materials
- Training
- Guidance
- Compliance
- Operational Area

3. MARACs

Mutual Aid Regional Advisory Committees (MARACs) are the principal source of input and information to the SEMS Maintenance System. There are MARACs in each of the six mutual aid regions in the state. They provide a broad base for local government participation in the SEMS Maintenance System. MARACs may be formed around or incorporate existing local government advisory committees. Recommendations from the MARACs to the Technical Group are the primary means by which SEMS is maintained and improved. Collectively, these multi-agency groups ensure that changes are made to the system when necessary. The overall organization of the SEMS Maintenance System is depicted below.



The Incident Command System

Introduction

Of the many types of emergency situations encountered, few are as potentially complex as that of a hazardous materials incident. In any type of hazardous materials incident, many local, state, and federal agencies may become involved where each has different interests, responsibilities, and authorities. Each has the common goal of protecting life, property, and the environment. In order to provide a coordinated response effort and ensure that each agency's needs are met, a management tool or system is needed. That management tool is the *Incident Command System*.

The Incident Command System (ICS) is a management system described as a set of policies and procedures, personnel, facilities, communications, and equipment integrated into a common organizational structure designed to improve emergency response operations of all types and complexities.

The complexity of incident management, coupled with the growing need for multi-agency and multi-functional involvement at incidents involving hazardous materials, has increased the need for a single standard incident management system that can be used by all emergency response disciplines. ICS provides that framework from which all response agencies, as well as the responsible party, can work together in an efficient and effective manner. It should be noted that ICS is the field level component used in the SEMS structure.

ICS Mandates

In California, the ICS is the required organizational structure to be used by response agencies involved in a hazardous materials incident. Refer to the following laws, regulations, and national standards that require organizations responding to hazardous materials incidents to operate under an ICS.

- **FEDERAL:**
  - Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986.
  - 29 CFR 1910.120(q)
  - 40 CFR 300 - National Contingency Plan (NCP)

- **STATE:**
  - 8 CCR 5192(q)
  - California Government Code
  - 19 CCR (SEMS regulations) - states that where an agency has jurisdictional authority over a multiple-agency emergency incident, it shall organize the field response using ICS.
  - 14 CCR 81702 (s) for marine facilities & 14 CCR 81802 (q) for vessels - oil spill response procedures must interface with ICS.

- **STANDARDS:**

National Fire Protection Association (NFPA) 1561 - requires the establishment and use of the ICS within fire departments.

ICS Principles

There are certain ICS principles that apply to any emergency situation, regardless of its type or size. As a result, ICS can be used by all response agencies and addresses those problems commonly encountered in any emergency situation. The following describes the basic principles of ICS. Collectively, these principles identify the unique quality and benefits of utilizing ICS at an incident, over other systems.

- **Management by Objectives (MBO):** The objectives established by Command are "realistic" with input from subordinate positions on whether or not the objectives can be met. In this manner, Command is aware of organizational limitations and, with input from subordinate positions, there is greater motivation to meet the objectives. MBO covers four essential steps, which occur at every incident regardless of size and complexity:

  1. Know agency policy and direction
  2. Establish incident objectives
  3. Develop appropriate strategies
  4. Perform tactical direction (includes establishing tactics appropriate to the strategy, assigning the right resources and monitoring performance)

- **Agency Autonomy:** Throughout ICS, each agency retains control over its own legal and fiscal responsibilities, agency roles, and organizational procedures.

- **Chain-of-Command:** Means that every individual has a designated supervisor, and that an orderly line of authority within the organization with lower levels subordinate to and connected to higher levels (also known as a "top down" management style).

- **Personnel Accountability:** The following is required at each incident to ensure personnel accountability:

  1. Check-in/Check-out
  2. Unity of Command (everybody has only 1 supervisor)
  3. Unit Logs
  4. Resource Status (don't forget, people are resources too)

- **Organizational Flexibility & Adaptability:** The ICS organization adheres to a "form follows function" philosophy. In other words, the organization should reflect only what is required to meet planned tactical objectives. As the incident changes in nature, the chain-of-command can be expanded or contracted as needed.

- **Unified Command Structure:** Unified Command in ICS is a management process that allows all agencies that have jurisdictional authority for the incident to jointly develop a common set of incident objectives and strategies. This is accomplished without losing or abdicating agency authority, responsibility, or accountability. Unified Command allows agencies and responsible parties having jurisdictional responsibility at an incident to be part of the Incident Command function, as well as integrated throughout the ICS organization as appropriate. Unified Command shall be implemented whenever there is more than one agency having jurisdictional authority for the incident.

- **Effective Span-of-Control:** ICS is designed to provide an effective span-of-control, where the number of individuals' one supervisor can effectively manage falls within a range of 3 to 7 (5 subordinates is ideal).

- **Common Terminology:** In ICS, common terminology is applied to the following:

    1. Organizational elements
    2. Position titles
    3. Resources
    4. Facilities

- **Integrated Communications:** Communications at the incident are managed through the use of a common communications plan and an incident based communications center. The plan includes such information as the planning and integration of all communications frequencies and resources, hardware systems, and procedures for transferring information.

- **Comprehensive Resource Management:** A comprehensive resource management system in ICS is designed to overcome problems of either too few or too many, lost, or mismanaged response resources. To simplify status keeping and reduce span-of-control, resources assigned to an incident may be managed in one of three ways, depending on the needs of the incident:

    1. **Single Resource –** the equipment, plus the required individuals to operate it, are assigned as primary tactical units.
    2. **Task Force –** a combination of single resources, with COMMON communications and a leader, temporarily assembled to meet specific tactical needs.
    3. **Strike Team –** a specified combination of the same kind and type of resources, with COMMON communications and a leader.

The status condition of each resource is also tracked during an incident by the Resource Status Unit in the Planning Section and is monitored by one of three status conditions:

1. **Available** - ready for immediate assignment.
2. **Assigned** - performing an active assignment.
3. **Out of Service -** not ready for assignment.

- **Consolidated Plans:** Every incident must have an Incident Action Plan (IAP) to provide appropriate direction for future actions by identifying incident objectives, strategies, and priorities. The IAP is prepared in advance for every Operational Period, which is normally 12-24 hours. Other plans jointly developed at an incident that are a part of the IAP, would include the following:

    - Communications Plan
    - Site Safety Plan
    - Medical Plan
    - Waste Management Plan

- **Pre-designated Facilities:** Prior to an incident, facilities that may be used in and around the area of an incident are pre-designated. These facilities would include the following:

    - Incident Command Post (where field operations are directed from)
    - Staging Areas
    - Mobilization Centers
    - Mass Care Centers
    - Evacuation Centers
    - Emergency Operations Center (to support field operations and help coordinate activities involving several command posts)

- **Modular Organization:** The ICS is a modular organization that is based on five functional areas and has the capability to expand or contract to meet the needs of the incident. A basic rule of ICS is that the duties of any position that is **not** filled will be assumed by the next higher position; therefore, the person at the top of the organization is responsible for all aspects of the incident organization until the authority is delegated to another person. The organizational elements within the Incident Command System include the following:

    1. Function
    2. Section
    3. Branch
    4. Division/Group
    5. Unit

ICS Organization

The ICS organization is comprised of five primary functional areas, as described and depicted below:

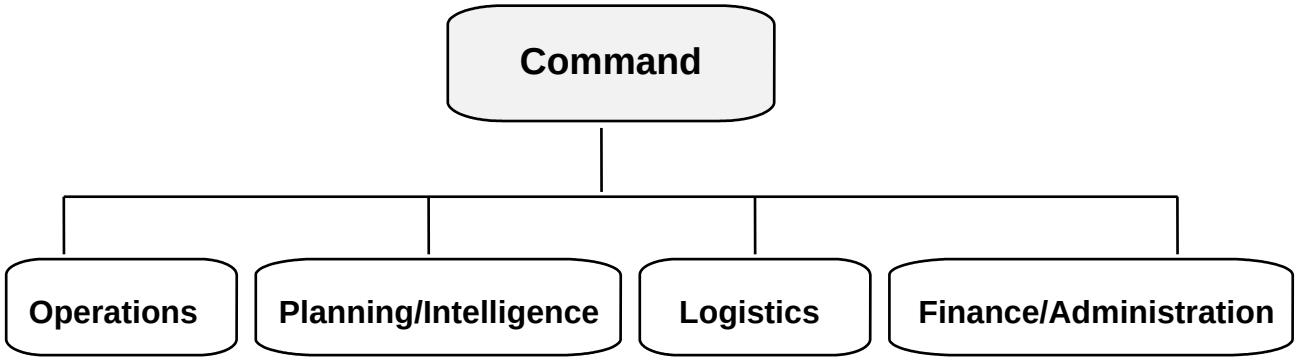
1. **Command:** Responsible for the overall management of the incident.

2. **Operations:** Responsible for directing the tactical actions to meet incident objectives.

3. **Planning/Intelligence:** Responsible for the collection, evaluation, and display of incident information. Also maintaining status of resources; preparing the Incident Action Plan; and incident-related documentation.

4. **Logistics:** Responsible for providing adequate services and support to meet all incident needs.

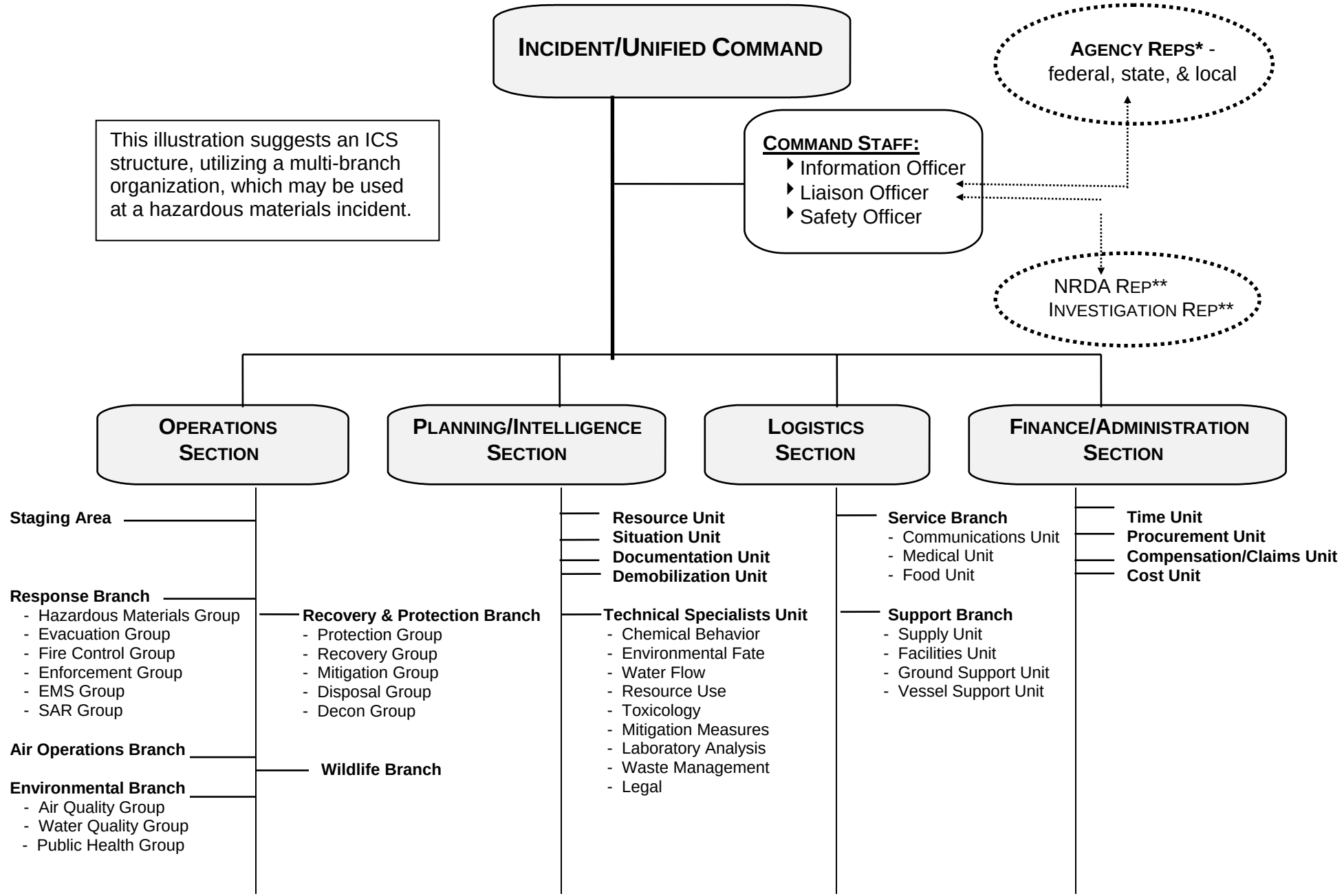
5. **Finance/Administration:** Responsible for keeping track of incident-related costs, personnel and equipment records, and administering procurement contracts associated with the incident.



All five of these functions must be present when implementing ICS, but may be expanded to differing degrees depending upon the size and nature of the incident. First on-scene at a hazardous materials response is usually the IC who will initially have responsibility for all functions. The IC may later delegate authority to others to perform in these functions as dictated by the incident.

Depending on the incident, many factors will determine how these five functions will be developed. These factors would include, but not be limited to, the following:

- **Location** (on/off-highway, coastal or inland)
- **Nature of substance** (oil, chemical, radiological, or biological materials)
- **Magnitude** (minor, moderate, major, or catastrophic)
- **Capability** (adequately trained personnel and proper equipment)
- **Mandate** (responsibility/authority designated by a legislative body or statute)
- **Responsible party** (RP willing and able to provide an adequate response)
- **Financial** (funding agency requires direct control over expenditures)



* *Personnel and resources integrate into ICS sections via the Liaison Officer*

** *Investigation and NRDA Representatives coordinate activities within the operational area via the Liaison Officer*

COMMAND

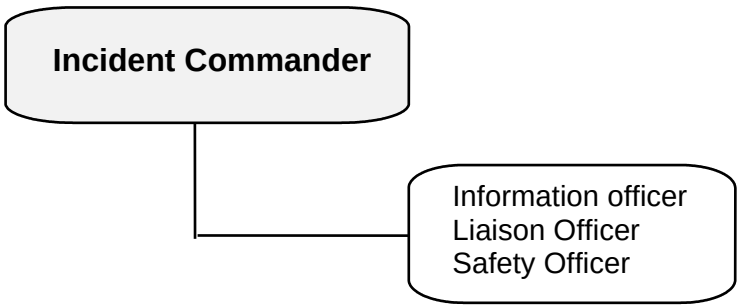
Introduction

The Command function is responsible for the overall management of the incident, which directs, orders, or controls resources by virtue of some explicit legal, agency, or delegated authority. The on-scene command of an incident is carried out by the Incident Commander (IC). Selection of the IC is based on who has the primary authority - functional (e.g., fire, law, health & safety) and/or jurisdictional (e.g., local, state, federal, tribal) - for the overall control of the emergency event. A Unified Command must be considered when multiple agencies have jurisdictional authority over an emergency event.

Organization

The Incident Commander is supported by the Command Staff, which is comprised of the following positions:

- Information Officer (IO)
- Liaison Officer (LO)
- Safety Officer (SO)



Additionally, the IC may appoint a Deputy IC, who may be from the same agency or an assisting agency, to assist in managing the incident. These positions report directly to Command and assist in fulfilling the duties of coordination with others and the overall safety of the organization's members.

The Incident Commander plus the Section Chiefs who manage the other four sections (Operations, Planning/Intelligence, Logistics, and Finance/Administration) comprise the General Staff.

Roles & Responsibilities

The following describes the roles and responsibilities of the Incident Commander and the Command Staff:

- **INCIDENT COMMANDER**

The Incident Commander (IC) or Unified Command is the person(s) responsible for the overall management at the incident, and must be fully qualified to manage the incident. Command responsibilities are executive in nature. The IC develops, directs, and maintains a viable organization and is responsible to keep that organization coordinated with other agencies, elected officials, and the public. Command responsibilities would include, but not be limited to, the following:

- Review common responsibilities;
- Assess the situation and/or obtain a briefing from the prior IC;
- Determine incident objectives and strategy;
- Establish the immediate priorities;
- Establish an Incident Command Post;
- Establish an appropriate organization;
- Ensure planning meetings are scheduled as required;
- Approve and authorize the implementation of the Incident Action Plan;
- Ensure that adequate safety measures are in place;
- Coordinate activity for all Command and General staff;
- Coordinate with key people and officials;
- Approve requests for additional resources or for the release of resources;
- Keep agency administrator informed of incident status;
- Authorize information to the news media;
- Order the demobilization of the incident when appropriate.

- **LIAISON OFFICER**

For incidents that are multi-jurisdictional, or have several agencies involved, a Liaison Officer (LO) position may be established on the Command Staff. Only one LO will be assigned for each incident, including incidents operating under Unified Command and multi-jurisdiction incidents. The LO is the point of contact for all agency representatives assigned to the incident by assisting and/or cooperating agencies. The LO may have assistants as necessary, and the assistants may also represent assisting agencies or jurisdictions

Agency Representative is an individual assigned to an incident from an assisting and/or cooperating agency who has been delegated authority to make decisions on matters affecting that agency's participation at the incident. Agency Representatives report to the LO, or to the IC in the absence of the LO.

- Assisting Agencies - Assist on an incident by directly contributing tactical resources to the agency or jurisdiction that is responsible for the incident (e.g.; fire, police, or public works personnel and equipment sent to another jurisdiction's incident would be considered an assisting agency).

- Cooperating Agencies - Support the incident or supplies assistance *other than* tactical resources (e.g.; American Red Cross or Salvation Army sending supplies; or a county fire or environmental health department may provide a representative for technical expertise or coordination purposes).

All arriving responders must coordinate with the LO prior to or upon arrival at the scene of an incident. The LO maintains a list of agency representatives, responds to requests from incident personnel for inter-organizational contacts, and monitors incident operations to identify current or potential inter-organizational issues.

NOTE: In the last Tool Kit publication (1990), the term State Agency Coordinator (SAC) was used for the position responsible for assisting the IC and for coordinating the responses of all state agencies at the scene of the incident. Erroneously, the role of the SAC has often been confused with the role of the IC, which has caused confusion among response agencies. This designation, however, is an artifact from the past before SEMS and ICS were implemented statewide, and from old statutory (CVC § 2454) and contingency plan (Tool Kit, oil spill) language. The statute has since been changed, and this designation is now obsolete.

- **SAFETY OFFICER**

The Safety Officer (SO) position is mandated by Fed/OSHA (29 CFR § 1910.120) and Cal/OSHA (8 CCR § 5192) for all hazardous materials incidents. The Safety Officer's function is to develop and recommend measures for assuring personnel safety, and to assess and/or anticipate hazardous and unsafe situations. The IC will designate a SO who is knowledgeable in the operations being implemented at the emergency response site

The SO will immediately inform the IC of any actions needed to be taken to correct any hazardous or unsafe situations. However, the SO may exercise emergency authority to immediately alter, suspend, or terminate those activities that are judged to be hazardous or unsafe and when personnel are in imminent life-threatening danger.

Regardless of the size or location of a spill, an **"**emergency response plan" also known, as a Site Safety Plan must be developed by employers whose personnel respond to emergencies. This plan is usually tasked to the site SO in accordance with 8 CCR 5192(q). Emergency response organizations may use the local or state emergency response plan as part of the site safety plan (to avoid duplication), in addition to the specific emergency response plan elements listed in the regulations [8 CCR 5192(q)(2)(A-L)].

Only one SO will be assigned for each incident. The SO may have assistants as necessary. It is also prudent for the SO to assign assistants to help coordinate health and safety activities directly relating to the Hazardous Materials Group during a multi-hazard response. The "Assistant Safety Officer - Hazardous Materials" authority will derive from the incident SO, but will report to the Hazardous Materials Group Supervisor or equivalent.

- **INFORMATION OFFICER**

The Information Officer (IO) or Public Information Officer (PIO) is responsible for developing and releasing information about the incident to the news media, incident personnel, general public, elected officials, and other appropriate agencies and organizations. For incidents involving numerous response agencies, a lead PIO will be assigned for the incident operating under the Unified Command. Information officers from responding agencies or jurisdictions will support the lead PIO. All PIOs will work together, utilizing a Joint Information Center (JIC) to coordinate the release of all emerging public information. The PIO should consider the following when determining the location of the JIC:

- Separate from the Incident Command Post, but close enough to have access to information;
- An area for media relations and press/media briefings;
- Information displays and press handouts made readily available; and
- Ability to arrange for tours and photo opportunities.

In order to avoid release of conflicting or sensitive information, all information (whether verbal, printed, or web based) should be coordinated through the IO and must be approved by the Incident Commander or Unified Command prior to its release. The type of information that would be released during a hazardous materials incident would include the following (see Attachment #8 for examples):

- Emergency instructions and critical information to the affected public, including health and safety issues;
- Information regarding incident cause, sizes, current status, resources committed, and potential short or long-term impacts, if known.

Unified Command

According to the SEMS regulations, the Unified Command structure (UC) is defined as a unified team effort that allows all agencies with responsibility for an incident, either jurisdictional or functional, to establish a common set of incident objectives and strategies that all can subscribe to. A Unified Command is accomplished without losing or abdicating agency authority, autonomy, responsibility, or accountability, thereby enabling different agencies with overlapping areas of jurisdiction to work together efficiently and to partake in the consensus decision-making process. The UC staff may consist of empowered officials representing each jurisdiction with authority. One member of the UC may be selected as the overall spokesperson. This "spokesperson" is decided by the UC. The UC represents an important element in increasing the effectiveness of multi-jurisdictional and/or multi-agency incidents. As an incident becomes more complex and involves more agencies, the need for UC is increased.

The UC concept of the ICS offers a process that all participating agencies and responsible parties can use to improve overall management, whether their responsibilities at an incident are functional (fire, law, health & safety), jurisdictional (local, state, federal, tribal), and/or legal in nature. Some examples of incidents where the UC may be used are as follows:

- Incidents that affect more than one geographical jurisdiction (multi-jurisdiction);
- Incidents that affect more than one functional jurisdiction (multi-agency);
- Incidents that affect both geographical and functional jurisdictions.

UC is the consistent means of organizing a variety of autonomous agency and responsible party representatives to combine objectives and actions into one concerted emergency response effort. UC is based on commonality, where many inefficiencies and duplications of effort are overcome by:

- Integrating into a single incident organization;
- Assigning personnel from multiple agencies into various positions throughout the ICS, such as Command, Operations, Planning, Logistics, and Finance sections, depending on their qualifications and expertise;
- Co-locate facilities by meeting and working together at one location (the field Incident Command Post);
- Utilizing a common set of response objectives and procedures;
- Participating in a single planning process and preparing a single incident action plan (IAP);
- Utilizing coordinated communications systems;
- Sharing planning, logistical, and finance operations;
- Ensuring that joint planning for response activities will be accomplished;
- Ensuring that integrated response operations are conducted;
- Utilizing a coordinated process for resource ordering, mobilization, tracking, and demobilization; and
- Keeping track of financial costs.

It should be noted that the UC is not a "committee" where all differences must somehow be resolved before any action can take place, but rather a "team effort" that promotes open sharing of objectives and priorities. A collective (not to be confused with the terms "common" or "identical") set of objectives and priorities are created to address the needs of the entire incident.

- **State On-Scene Coordinator (SOSC)** For the purpose of this section the "State On-Scene Coordinator" (SOSC) means, the individual who is a representative of the state and coordinates all state activities with the IC, including personnel and resources, at a hazardous substance incident and maintains liaison with the Federal On-Scene Coordinator (if present).

  Given state mandates, and consistent with the Governor's designation, the most appropriate agency to serve as the SOSC at any given hazardous substance incident will be designated as follows:

  The SOSC does not supersede the authority or responsibility of any other agency or private party and in either case the SOSC may become a part of the UC when requested by the local agency having jurisdictional authority sitting on the UC. If not requested to become part of the UC, the SOSC will fill the Agency Representative role for the state as part of the Command Staff. In the absence of a local agency IC, or at the request of the local agency having jurisdictional authority, OES may function as the IC for the local authority.

  OES may also assist when local jurisdictions request additional support and/or resources such as in the communication with and coordination of state resources, coordinate scene operations of state agencies engaged in the response, and serve as the point of coordination between the state & federal response resources.

- **On-Highway Hazardous Substance Incidents** – The California Highway Patrol shall function as the IC for all state highways and freeways and will serve the position of SOSC, as designated in California Vehicle Code § 2454. OES may provide support and coordination of resources when requested by CHP.

- **Off-Highway Hazardous Substance Incidents** – When off-highway spills of hazardous substance impact human health and safety as the primary concern OES will assume the role of SOSC, as designated in the California Government Code section (CGC) §8574.17. During these off-highway incidents the California Department of Fish and Game, Office of Spill Prevention and Response (DFG-OSPR) may function in a support capacity for wildlife issues in order to assist the lead agency or SOSC. When a hazardous substance spill is no longer a threat to public safety, but continues to pose a threat to fish or wildlife or the habitat, DFG may assume the lead state role as SOSC for the remainder of the clean up.

  California Department of Fish and Game (DFG) is the law enforcement agency charged to preserve, protect, and enhance the state's fish, wildlife, and their habitat (Fish and Game Code, Sec. 711.7). Because of this responsibility, and because polluting the environment of fish or wildlife or their habitat is a criminal offense (Fish and Game Code, Sec. 5650), DFG has traditionally accepted the role of lead state agency at off-highway spills whenever fish, wildlife, and/or their habitat are threatened or injured by a spill of oil, hazardous substance, or other deleterious material. It is the intent of this plan for DFG to continue this lead agency role at these types of off-highway spills. During these off-highway incidents OES may function in a support capacity in order to assist the SOSC when requested by DFG-OSPR.

- **Marine Waters of the State** – The Administrator of OSPR or designee shall function as the IC at oil spill incidents in marine waters of the state and will serve the position of SOSC, as designated in Gov. Code, Sec. §8670.7. OES may provide support and coordination of resources when requested by OSPR.

- **Declared Emergencies** – During a state of war emergency, state of emergency, or local emergency that has been declared, OES has been entrusted with coordinating emergency activities of all state agencies in connection with the emergency, and every state agency shall cooperate in rendering all possible assistance, pursuant to Gov. Code, Sec. §8587.

  In addition, OES has the authority to assign to a state agency any activity concerned with mitigating the effects of an emergency (as long as those activities are consistent with that agency's existing authorities), and it shall become the duty of that agency to undertake and carry out such activity, pursuant to Gov. Code, Sec. §8595.

- **Federal On-Scene Coordinator (FOSC)** Under the National Contingency Plan (NCP), the Federal On-Scene Coordinator (FOSC) is the senior official for all response efforts. These responsibilities are shared between the U.S. Coast Guard (USCG) and the U.S. Environmental Protection Agency (USEPA). The USCG is the lead for response and recovery efforts at oil and hazardous materials incidents in the coastal zone, while the USEPA is the lead for oil and hazardous materials incidents in the inland zone. Boundaries between the USCG and the USEPA zones can be found in the Regional Contingency Plan and in each of the three California Coastal Marine Area Contingency Plans. In some circumstances, the FOSC may be a representative from the Department of Defense or Department of Energy, dependent upon agency jurisdiction. In accordance with the NCP, the FOSC activities shall, to the extent practicable, include any one or all of the following:

  1. Collect pertinent facts about the discharge or release such as:

  - The source and cause of the release;
  - The identification of potentially responsible parties;
  - The nature, amount, and location of released materials;
  - The probable trajectory, direction, and time of travel of the released materials;
  - Whether the discharge is a "worst case" discharge;
  - The pathways to human and environmental exposure;
  - The potential impact on human health, welfare, safety, and the environment;
  - The potential impact on natural resources and property which may be affected;
  - Priorities for protecting human health and welfare, and the environment;
  - Potential violations of applicable laws and regulations; and
  - Appropriate resource and cost documentation.

  2. The FOSC is the pre-designated federal official responsible for directing and coordinating responses to releases of hazardous substances to the environment and discharges of oil to navigable waters of the United States. However, under the Clean Water Act, Section 311 (c)(2) the FOSC must direct responses to spills that pose a substantial threat to the public health, or welfare of the United States.

  In California, the California Department of Transportation (Caltrans) and many City and County Fire and Health Departments maintain highly capable Hazardous Materials Response Programs. In most Level One and Two Incidents (see the Tool Kit Levels of Response, Attach 5), these organizations will direct and manage the response. Typically, the FOSC will receive spill notification from the National Response Center (NRC); the Governor's Office of Emergency Services, California State Warning Center; and/or the Responsible Party (RP) and assess the level of federal response required for the incident. For a Level One Incident, the FOSC may follow-up on the initial notification and contact the local responders to determine the status of the incident and whether federal assistance is needed. For Level Two Incidents, the FOSC may respond or dispatch a Superfund Technical Assistance and Response Team (START) unit from San Francisco, California or Long Beach

California to monitor the response and provide technical assistance to the local responders. For Level Three Incidents, the FOSC will respond to the incident. In most cases, the FOSC will begin by mobilizing response resources (personnel, health & safety equipment, monitoring instruments, etc.) from the local START unit and the USCG Pacific Strike Team. If the incident exceeds the capabilities of the local and State jurisdictions, and the responsible party cannot mobilize sufficient resources, the FOSC will also mobilize the Emergency Response and Removal Support (ERRS) cleanup contractor. The mobilization of federal cleanup resources does not replace the Incident Command System (ICS) or Unified Command (UC), but will integrate into the existing ICS where appropriate.

3. Pursuant to Section 300.135 of NCP, the FOSC promotes the use of a Unified Command System that brings together the functions of the federal government, state government, local government, and the responsible party to achieve an effective and efficient response. The goal of the UC is to reach a consensus whenever possible, but the FOSC always retains the authority to take all actions that he or she deems necessary to mitigate the effects of the spill. The FOSC, the state/local government representatives, and the responsible party, are all involved with varying degrees of responsibility, regardless of the size and severity of the incident. The FOSC in every case retains the authority to direct the spill response. In many situations, the FOSC may choose to monitor the actions of the responsible party and/or state/local governments and provide support and advice where appropriate.

4. Consult with the RRT, when necessary, in carrying out the requirements of the NCP and keep the RRT informed of activities under the NCP. When considering the use of chemical countermeasures in a spill response, the FOSC, with the concurrence of the EPA and the State representative to the RRT, and in consultation with the Department of Commerce and the Department of the Interior natural resource trustees, may authorize the use of chemical countermeasures provided that the products are listed on the NCP product schedule.

5. Address worker health and safety concerns at a response scene. The FOSC may assign a safety officer, as necessary, and utilize the RRT Human Services representative for assistance in determining public health threats, and/or the Occupational Safety and Health Administration (OSHA) for advice on worker health and safety problems.

6. Ensure that the trustees for natural resources are promptly notified of discharges. The FOSC shall consult and coordinate with the affected Natural Resource Trustees on all response activities, removal actions to be taken, and if endangered or threatened species, or their habitat are affected.

7. Assess cleanup feasibility and determine when cleanup is satisfactory.

8. Submit pollution reports (POLREPS) to the RRT and other appropriate agencies as significant developments occur during response actions.

9. Ensure that all appropriate public and private interests are kept informed and that their concerns are considered throughout the response, to the extent practicable.

10. Ensure recovered material is properly managed and/or disposed.

11. If the RP is unwilling, unable, or unknown and the requirements of the incident exceed the capabilities of state and local government, the FOSC may activate the federal funding (OPA, CERCLA) and direct the expenditures in support of the response activities. State and local governments, however, are not authorized to take actions under Subpart D of the NCP that involve federal expenditures unless an appropriate contract or cooperative agreement has been established.

Who should be in Command

Agency Role - Responding agencies will fill one of two roles: they will be either jurisdictional, with direct statutory responsibility and authority; or they will be supporting agencies that have been called for to assist in the incident. Only jurisdictional agencies with statutory responsibility on some part of the incident can assign a representative as an IC or one of the Unified Commanders.

Agency Authority - Agencies who assign a representative as an IC or to the UC must have the jurisdictional authority.

In determining the IC, it is important to consider the statutory and regulatory authorities that mandate which agency will fulfill the IC role during a hazardous materials incident.

- California Government Code § 8618 states that "the responsible local official in whose jurisdiction an incident requiring mutual aid has occurred shall remain in charge at such incident, including the direction of personnel and equipment provided through mutual aid".

- California Vehicle Code § 2454 states that the IC for on-roadway hazardous materials incidents is the law enforcement agency having primary traffic investigative authority; for roads in unincorporated areas and state highways & freeways, and state facilities & properties, the IC is the California Highway Patrol.

- California Government Code §8670.7 designate the Administrator of OSPR as the IC at oil spill incidents in marine waters of the state. In addition, California Fish & Game Code § 711.7 designates the DFG as the trustee of fish, wildlife, and natural resources, but does not explicitly designate DFG as the IC at off-highway incidents.

- 40 CFR 300 and the National Contingency Plan state that the USCG has command authority for incidents in the coastal zone, while USEPA has command authority for incidents in the inland zone. This authority can be delegated to the state.

Command authority is further illustrated in the table on the following page.

Federal On-Scene Coordinator (FOSC)

Coastal Areas	**U.S. Coast Guard, (40 CFR 300)**
Inland Areas	**U.S. Environmental Protection Agency, (40 CFR 300)**
Federal Facilities and Properties	**Jurisdiction Specific** - Federal agencies, such as the Department of Energy or Department of Defense, may function as the FOSC for incidents involving federal facilities and properties within their jurisdiction.

State On-Scene Coordinator (SOSC)

On-Highway **(**Incorporated, *excluding* all freeways**)**	Vehicle Code § 2454 states "The **law enforcement agency** with primary traffic investigative authority". Within the limits of a city (local streets or roads, exclusive of freeways), IC authority may be vested by the local governing body (which has jurisdiction over that location) to either the: ‣ local **law enforcement** agency, or ‣ local **fire protection** agency.
On-Highway (Unincorporated roadways, *including* all freeways, vehicular crossings and toll bridges**)**	**California Highway Patrol** (CHP), Vehicle Code § 2454
Off-Highway	**Jurisdiction Specific -** Government Code § 8618 states that "the **responsible local official** in whose jurisdiction an incident requiring mutual aid has occurred shall remain in charge at such incident, including the direction of personnel and equipment provided through mutual aid."
State Facilities and Properties	**California Highway Patrol** (CHP) - The CHP will function as the IC for hazardous materials incidents at all state facilities and properties where they have the most specific criminal investigative authority, even if they are located within the political boundaries of a city.

OPERATIONS

Introduction

The **Operations Section** is responsible for the management of all tactical operations taking place at any specific phase of an incident, including response and recovery.

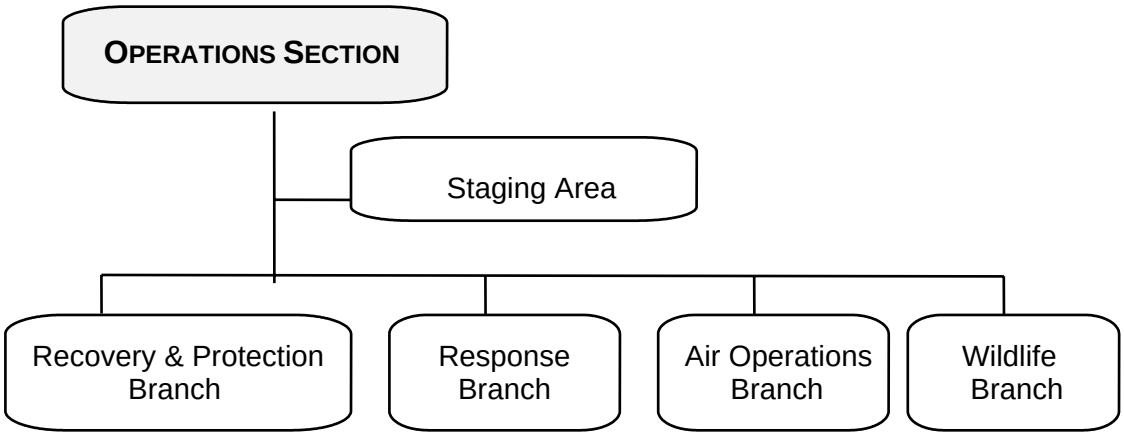
Organization

The Operations function is coordinated by the Operations Section Chief, who reports to the Incident Commander and selects staff that is required within their specific functional area. In a unified command structure, there is only one Operations Section Chief, but personnel from other agencies may provide input and coordination to the tactical operations.

The Operations Section consists of the following components:

- Ground or surface-based tactical resources
- Air resources
- Staging areas

Note: Resources are requested/acquired through the Logistics Section and the Finance Section addresses funding issues.



Roles & Responsibilities

The Operation Section Chief would be charged with developing and carrying out Command direction to meet the objectives for the Operations Section covered in the Incident Action Plan (IAP). Other responsibilities would include, but not be limited to, the following:

- Brief and assign Operations section personnel in accordance with the IAP;
- Supervise operations section;
- Determine need and request additional resources;
- Review suggested list of resources to be released etc.;
- Assemble & disassemble strike teams assigned to the Operations Section;
- Report information about special activities, events and occurrences to IC;
- Maintain Unit/Activity Log.

State agencies will perform Operations functions as dictated by the incident and determined by the IC/UC. State agencies may act in support of local operations personnel, or vice versa, or in some instances the state agency may assume the lead role in operational activities.

The Hazardous Materials Responder

The following information is provided in Attachment # 5 of this plan which provides further information to be used by the hazardous materials responder:

- Levels of Training
- Levels of Response
- Personal Protective Equipment
- Hazardous Materials Response Teams

PLANNING/INTELLIGENCE

Introduction

The **Planning/Intelligence Section** is responsible for the management of all information relevant to an incident. The Planning Section collects, evaluates, disseminates, and uses information about the development of the incident and status of the resources. This would include past, present, and future information about the incident, the status of resources, and the situation status. Dissemination of this information can be through the Incident Action Plan, formal briefings, and/or through map, electronic, and status board displays.

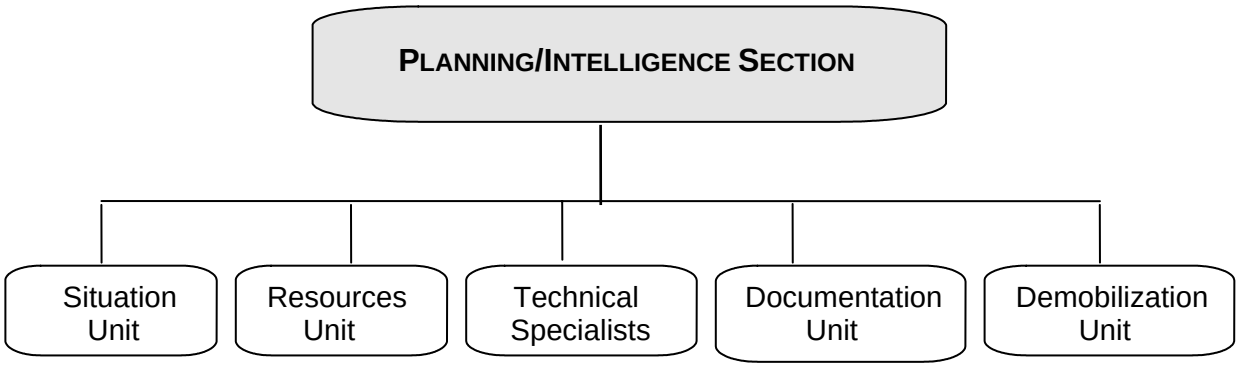
In some instances, personnel with specialized skills may be assigned as “Technical Specialists” to provide their knowledge and expertise in support of the incident. Technical Specialists may function as a separate unit within the Planning Section, or assigned anywhere in the ICS organization where their expertise is required. The following are examples of the types Technical Specialist positions that might be utilized during a hazardous materials response:

- Legal Specialist
- Environmental Specialist
- Sampling Specialist
- Waste Management Specialist
- Alternative Response Technologies (ART) Specialist
- Scientific Support Coordinator (SSC) Specialist
- Radiological Specialist
- Water Resources Specialist
- Hydrologist/Geologist Specialist
- Training Specialist

Organization

The Planning/Intelligence Section is managed by the Planning/Intelligence Section Chief who reports to the Incident Commander. He/she selects the staff that is required within their specific functional area. In a unified command structure, there is only one Planning/Intelligence Section Chief, but personnel from other agencies may provide input into the planning process. There are four units within the Planning/Intelligence Section that can be activated as necessary:

- Resources Unit
- Situation Unit
- Documentation Unit
- Demobilization Unit



Roles & Responsibilities

The Planning Section Chief would be responsible for the collection, evaluation, dissemination and use of information about the development of the incident and status of resources. Information is needed to: 1) understand the current situation, 2) predict probable course of incident events, and 3) prepare alternative strategies and control operations for the incident. Other responsibilities would include, but not be limited to, the following:

- Collect and process situation information about the incident;
- Supervise preparation of the IAP;
- Provide input to the IC and Operations Chief in preparing the IAP;
- Reassign out-of-service personnel already on-site to ICS organizational positions as appropriate;
- Establish information requirements and reporting schedules for Planning Section Units;
- Determine need for any specialized resources in support of the incident;
- Assemble and disassemble strike teams and task forces not assigned to operations, as requested;
- Establish special information collection activities as necessary, e.g., weather, environmental, toxics, etc.;
- Assemble information on alternative strategies;
- Provide periodic predictions on incident potential;
- Report any significant changes in incident status;
- Compile and display incident status information;
- Incorporate plans, (e.g., traffic, medical, site safety) into the IAP.

Another function of the Planning Section is to prepare and maintain displays, charts, and/or lists that reflect the current situation of incident-related activities. The following are examples of Status Boards for situation display:

- Story Board - initial notification, weather/tides, situation reports
- Incident Status Summary
- Response Objectives
- Resources at Risk Summary
- Situation and Planning Maps
- Response Resources Status
- Organization Chart
- Assignment List
- Meeting Schedule

Planning Process

At every incident, no matter how small, some amount of planning is required for an effective and efficient response. ICS uses a planning process based on the following Management by Objective (MBO) concepts:

- Policy, objectives, and priorities are set by Command. With UC, both functional and geographical response authorities are allowed to combine objectives and actions.
- The organization required to meet the objectives is designed by Operations & Planning.
- Branch, Division, and Unit assignments are detailed.
- A "reality-checking" review of the initial work is carried out. All participants in the process examine the tentative plan for completeness, feasibility, and capability to meet objectives. Results of the review are used to revise the plan.
- Planning completes the Incident Action Plan (IAP) in advance for every Operational Period throughout the incident.
- Approval of the plan is done by the IC or Unified Commanders before it is implemented.
- Support and service needs, including communication requirements, are identified and obtained by Logistics.
- Financial abilities and constraints are considered by Finance.

Incident Action Plan

In order to affect a coordinated and efficient response, every incident should have an **Incident Action Plan** (IAP). However, the need for a written plan is based on the incident and the decision of the IC (e.g., a plan need not be written for small oil spill contained on an asphalt roadway and cleanup lasts for only a couple of hours). Listed below are a few examples of when written action plans should be developed and used:

- When several jurisdictions are involved;
- When resources from multiple agencies are necessary; and
- When the incident requires changes in shifts of personnel and/or equipment.

The following information should be included in the IAP for each operational period:

- Establish incident objectives, priorities, and strategies. Ensure these adequately reflect the policy and needs of all the jurisdictional agencies that may be impacted by the incident.
- Provide an organization list/chart.
- Provide an assignment list.
- Specify tactics for each Group.
- Identify Operations facilities and reporting locations (plot on map).
- Identify resources (equipment and personnel) needed by each Group.
- Identify tactical support activities (communications, traffic, safety, etc.) and overhead needed by each Group.
- Incorporate additional information from plans supporting the incident such as the Communications, Health & Safety, Medical, Waste Management, Traffic, Air Operations, Vessel Routing, and Demobilization plans.

LOGISTICS

Introduction

The **Logistics Section** is responsible for ensuring that all of the necessary personnel, equipment, facilities, and services are obtained and delivered in support of incident response and recovery operations.

Organization

The Logistics Section is managed by the Logistics Section Chief who reports to the IC. He/she selects the staff that is required within their specific functional area. In a unified structure, there is only one Logistics Section Chief, but personnel from other agencies may provide input. The Logistics Section Chief may assign a Deputy when all designated units within the Logistics Section are activated.

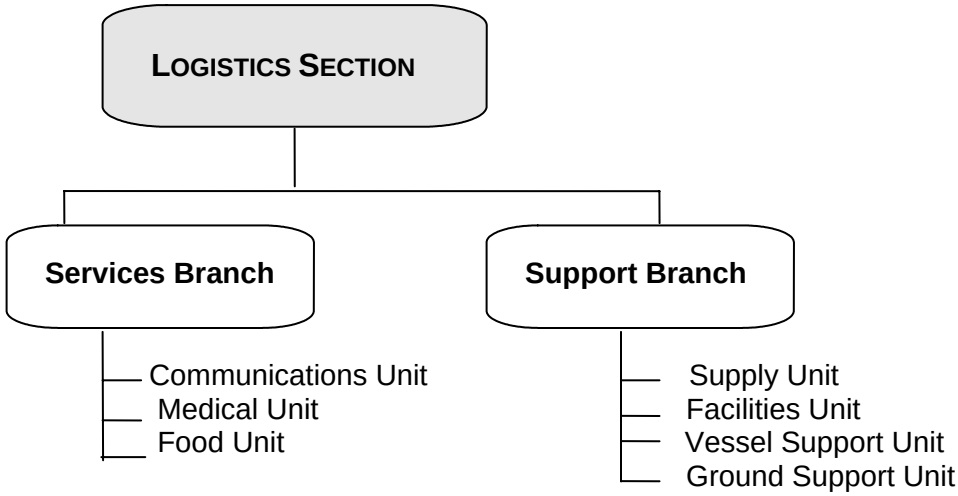
For large incidents, the Logistics Section may be divided into **two Branches**, usually for span of control reasons:

Service Branch - is responsible for those tasks that keep the organization going, such as communications, food services, and medical care for personnel within the ICS organization (not the public).

Support Branch - assures that all parts of the organization can function; they provide adequate facilities, obtain personnel, supplies, resources, and service equipment

Each Branch is led by a Branch Director who reports to the Logistics Section Chief. Six units may be established within the Logistics Section, as follows:

- Supply Unit
- Facilities Unit
- Ground Support Unit
- Communications Unit
- Food Unit
- Medical Unit



Roles & Responsibilities

The Logistics Section Chief would be responsible for providing facilities, services, and materials in support of the incident. The Logistics Section Chief participates in development and implementation of the IAP and activates and supervises the Branches and Units within the Logistics Section. Other responsibilities would include, but not be limited to, the following:

- Plan organization of Logistics Section;
- Assign work locations and preliminary work tasks to Section personnel;
- Notify Resources Unit of Logistics Section units activated including names and locations of assigned personnel;
- Assemble and brief Branch Directors and Unit Leaders;
- Identify service and support requirements for planned and expected operations;
- Provide input to and review Communications Plan, Medical Plan, and Traffic Plan;
- Coordinate and process requests for additional resources;
- Review IAP and estimate Section needs for next operational period;
- Advise on current service and support capabilities;
- Prepare service and support elements of the IAP;
- Estimate future service and support requirements;
- Recommend release of unit resources in conformity with Demob Plan;
- Ensure general welfare and safety of Logistics Section personnel.

Prior to an incident, a good local or regional emergency plan should be developed to identify the types of response resources that may be needed, where they are located, and how they can be acquired within a community (e.g.; the OPA '90 Area Contingency Plans for California's coastal areas). Having such a plan available for use during an incident greatly decreases the timeframe in obtaining these resources, as well as the frustration level when trying to quickly find resources in a high stress situation.

Examples of the types of response resources anticipated to be used at an incident would include:

- Facilities
- Transportation
- Communications
- Supplies
- Trained personnel
- Equipment maintenance and fueling
- Food services
- Medical services

Once resources are acquired by Logistics, the management of those resources is the responsibility of the Planning and Operations Sections.

Each responding agency or jurisdiction should provide the necessary resources and logistical support within their capabilities prior to accessing outside sources. For major incidents, OES may activate the state's disaster response mechanism (i.e., the State Operations Center/Regional Emergency Operations Center) to address resource shortfalls, in accordance with SEMS.

Communications

Most often, communications is the weak link at large incidents and incidents that require response from multiple agencies. Incompatible radio frequencies, being out of range, inconsistent terminology, and extensive radio traffic are examples of problems encountered in field response to hazardous materials incidents. To facilitate better lines of communication, all response agencies participate in their local and/or regional planning process prior to an incident to identify, establish and coordinate communications links with those entities that will be contacted and information exchange during an actual emergency response.

During an incident, the Communications Unit Leader is responsible for developing plans for the effective use of incident communications equipment and facilities; installing and testing of communications equipment; supervision of the incident Communications Center; distribution of communications equipment to incident personnel; and the maintenance and repair of communications equipment.

The following is an overview of key radio channels for coordination of hazardous materials incidents. The most common interagency channels used in hazardous materials incidents are CALCORD and WHITE FIRE. Several other radio frequency systems are also discussed below:

- **California On-Scene Emergency Coordination Channel (CALCORD 1):** The California On-Scene Emergency Coordination System was established to provide common radio frequencies to be used statewide by state and local public safety and special emergency agencies during periods of man-made or natural disasters or other emergencies where interagency coordination is required. CALCORD will be used in mobile and portable units at the scene of any emergency incident requiring coordinated action by more than one agency. These agencies must be eligible to operate in the public safety or Special Emergency Radio Services. It is intended that this system be used to facilitate communications when ICS is used. Use of this system will be limited to emergency operations only, with the exception of tests and drills.

- **White Fire:** There are three white channels available to all fire agencies. White #1 is authorized for base station and mobile operation. The other two channels are for mobile and portable use only. All three White channels are designated by the Federal Communications Commission as "Inter-system" channels, and are intended solely for interagency fire operations. White #2 and White #3 are intended for on-scene use only.

NOTE: White #1 may be used under special conditions for alerting or warning and for announcements of special interest.

- **California Law Enforcement Mutual Aid Radio System (CLEMARS):** Available to all law enforcement agencies in California. Also available to certain other selected public safety agencies. It is used on a day-to-day basis for law enforcement activities and in emergency and disaster situations in accordance with established priorities. The state will perform required frequency coordination and FCC licensing.

- **California Law Enforcement Radio System (CLERS):** This is the statewide law enforcement point-to-point network. It is designed and installed by the State of California. Virtually every county and major city in the state has a control station. It is composed of 16 separate mountaintop relay stations inter-connected through the State Microwave System. It permits contact from any member station to another member station. In addition to counties and cities, the State OES and California Highway Patrol have stations. It is considered the backbone of the statewide emergency communications system.

- **OES Fire Radio:** The OES Fire Radio Net (Crossband System) is used for the day-to-day coordination of the Statewide Fire and Rescue Mutual Aid System and is consistent with the intent and provisions of the State Fire and Rescue Emergency Plan. The purpose of this system is to provide for centralized coordination, direction, and control of OES fire and rescue resources mobilized to combat major fire or other emergencies. The system is also used for the gathering and dissemination of information during major disaster operations.

- **California Emergency Services Radio System (CESRS):** This is a statewide mobile relay system utilizing 26 mountaintop repeaters. It is designed to serve state and county OES use. Many counties have control and base stations on this network. The network is interconnected through the State Microwave System to provide for statewide communication. CESRS was formerly referred to as the Local Government (LG) radio system.

- **Special Emergency Radio Services:** This system is intended to be used to facilitate communications when ICS is used. Use of this system will be limited to emergency operations only, with the exception of tests and drills.

- **Hospital Emergency Administrative Radio System (HEAR):** This frequency is available to any eligible agency for "the rendition and delivery of medical service, and may be designated by common consent as an inter-system mutual assistance frequency under area-wide medical communications plan." Certain areas in California have such a plan, and the balance of the state shall operate under the basic HEAR system. This limits usage to communications between hospital and ambulances or between base hospitals, normally for emergency traffic, and for large-scale or disaster operations.

- **OASIS:** The Operational Area Satellite Information System (OASIS), a satellite based communications system with a high frequency radio backup. OASIS provides both a communications network and an information dissemination system linking three of the five SEMS organizational levels. The communication components to the system include a satellite system in each county operational area linked to selected state, federal, and local agencies. The information-processing component of OASIS contains fifteen functional forms that provide a rapid and accurate means of transferring information between locations on the OASIS network.

FINANCE/ADMINISTRATION

Introduction

The **Finance/Administration Section** is responsible for tracking all incident costs and evaluating the financial considerations of the incident. Except when the involved agencies have a specific need for those services, not all incidents will require a Finance/Administration Section.

Organization

The Financial/Administration Section is managed by the Finance Section Chief who reports to the IC and selects the staff that is required within their specific functional area. The Finance Section Chief is usually a representative from the jurisdictional agency requiring financial services, and may designate a deputy.

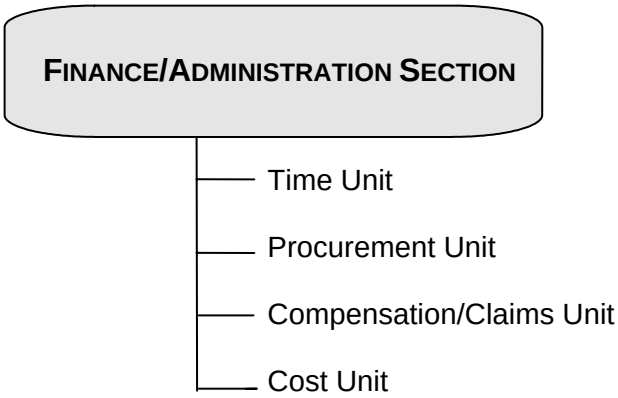
There are four units within the Financial/Administration Section that can be activated as necessary:

- **Time Unit** - responsible for equipment and personnel time recording.

- **Procurement Unit** - responsible for administering all financial matters pertaining to vendor contracts.

- **Compensation/Claims Unit** - responsible for the overall management and direction of *Compensation for Injury Specialists* and *Claims Specialists* assigned to the incident.

- **Cost Unit** - responsible for the collecting all cost data, performing cost effectiveness analyses, and providing cost estimates and cost saving recommendations for the incident.



Roles & Responsibilities

The Finance/Administration Section Chief is responsible for all financial, administrative, and cost analysis aspects of the incident and for supervising members of the Finance/Administration Section. Other responsibilities would include, but not be limited to, the following:

- Manage all financial aspects of an incident;
- Provide financial and cost analysis information as requested;
- Gather pertinent information from briefings with responsible agencies;
- Develop an operating plan for the Finance/Administration Section;
- Determine need to set up and operate an incident commissary;
- Meet with assisting and cooperating agency representatives as needed;
- Maintain daily contact with agency(s) administrative headquarters on finance and administration matters;
- Ensure all personnel time records are accurately completed and transmitted to home agencies, according to policy;
- Provide financial input to demobilization planning;
- Ensure all obligation documents initiated at the incident are properly prepared and completed;
- Brief agency administrative personnel on all incident related financial issues needing attention or follow-up prior to leaving incident.

Finance authorizes expenditures in accordance with agency policies, but does not actually order or purchase anything, as it is the Logistics Section that is responsible for obtaining all the needs/resources after approval by Finance. To accomplish the accounting tasks, Finance uses the IAP, resources-status tracking, and Logistics acquisition records.

Finance also performs the following tasks during an incident:

- Overall financial management and accountability of all incident expenditures
- Disaster relief records
- Contracting with vendors
- Agreements with other agencies
- Injury & damage documentation
- Claims and cost recovery documentation
- ICS personnel reimbursement

LOCAL GOVERNMENT FUNDING

Local government level can conduct recovery operations as long as the appropriate resources (equipment and personnel), training, and funding is made available. Funding for cleanups may be obtained at the local level in several ways:

- **Cost recovery** against the RP;
- **General fund** that is available for the purpose of financing the costs associated with a hazardous materials incident impacting their local jurisdiction. Accessing this fund is usually accomplished by contacting the agency controlling the fund or through local government emergency communications dispatch;
- **Special funds**, such as landfill tipping fees; and/or
- As part of the **Hazardous Materials Program fee**.

If the local government cannot obtain adequate funding, then funding may be made available from one or more of the following State or federal agencies to appropriate the necessary funds, as applicable.

STATE GOVERNMENT FUNDING

The State of California operates a number of funds that are earmarked for specific aspects of hazardous materials emergency response. Three of these funds address the impacts or potential impacts of an incident, while the other funds address incidents that impact specific state agencies.

Both impact-specific and agency-specific funding sources are discussed in further detail on the following pages.

IMPACT-SPECIFIC FUNDING SOURCES

ILLEGAL DRUG LAB CLEANUP ACCOUNT

The DTSC Clandestine Lab Cleanup Program is authorized to expend funds from the Illegal Drug Lab Cleanup Account (IDLCA). It was established in the General Fund, to provide assistance to state and local law enforcement agencies and other emergency response agencies in emergency hazardous substance removal actions at sites involving clandestine drug lab manufacturing activities and drug lab waste abandonment.

- **Funding Source:** Health and Safety Code § 25354.5
- **Annual Total:** $4,600,000 (subject to budget appropriation)
- **Administered by:** DTSC Emergency Response Program

- **Contact:** During normal business hours, contact the DTSC on-call Emergency Response Duty Officer at (916) 255-6504 or (800) 260-3972. After normal business hours, including weekends and holidays; contact the California State Warning Center at (916) 845-8911 or (800) 852-7550. Notify OES of the incident and that State assistance for the cleanup is needed. Request OES to contact the on-call DTSC Emergency Response Duty Officer who will do the following:

  - Contact the requesting agency;
  - Determine if the incident is eligible for funding;
  - Establish the scope of work, obtain a cost estimate, and estimated time of arrival from the contractor;
  - Authorize a contractor to respond;
  - Issue a Clandestine Laboratory Unit Expenditure (CLUE) number designated for the respective county; and
  - Direct DTSC contractor activities.

- **Maximum Single Expenditure:** N/A

- **Types of Incidents Covered:** Removal actions that include the removal and disposal of bulk chemicals, precursors, waste residues, and grossly contaminated materials. The Program also provides for limited soil removal where chemicals/waste provide an immediate contact threat.

- **Information to Provide:** The following information should be provided to the on-call DTSC Emergency Response Duty Officer:

  - Requesting agency information: name, agency, phone number, address, etc;
  - Description of the incident (e.g., type of illicit drug laboratory);
  - Location and address of clandestine laboratory site or abandonment;
  - Hazard characterization results, if available, showing that the hazardous substance meets at least one of the following criteria: toxicity, corrosivity, reactivity/explosivity, and/or flammability;
  - Inventory of hazardous substances - by container, quantity, and contents (hazard class or chemical name);
  - RP information (laboratory/facility operators and/or property owners): name, address, date of birth, drivers license number, and social security number;
  - Clandestine drug lab removals subject to the direct jurisdiction of federal law enforcement agencies (e.g., DEA, U.S. Park Service, FBI).
  - Additional documentation:

    - DTSC Clandestine Laboratory Incident Report
    - DTSC Clandestine Laboratory Cleanup Work Log
    - Copy of Hazardous Waste Manifest
    - Names of responding agencies

- **Limitations:** The Program does <u>not</u> provide for:

- Chemicals/waste that do not meet the definition of a hazardous waste - Flammability, Corrosivity, Reactivity, and/or Toxicity;
- Cleanup on Indian lands;
- Remedial action costs (e.g., cleanup of ground water or residual soil contamination, or removal and disposal of structural appurtenances such as contaminated carpet, counters, drywall, furniture, and permanent fixtures);
- Removal of uncontaminated glassware, empty containers, or other materials constituting a "solid waste problem"; and
- Alternative funding sources that are not available or applicable to the incident.

Additionally:

- DTSC contractors are not first responders;
- DTSC contractors are dispatched only by the DTSC Duty Officer - otherwise you pay;
- This is not a reimbursement program;
- DTSC does **NOT** provide evidentiary collection or storage; and
- The requesting law enforcement agency is responsible for maintaining site security until the removal action is completed.

- **Cost Recovery:** N/A

EMERGENCY RESERVE ACCOUNT

The Emergency Reserve Account (ERA) provides funds for the purpose of taking immediate corrective action necessary to remedy or prevent an emergency resulting from a fire, explosion, or human exposure to a release or threatened release of hazardous substances. This includes "midnight dumping", uncontrolled or threatened releases of hazardous substances, spill situations involving an unknown responsible party, or other actions (such as fencing, sampling, guard services, etc.) requiring stabilization or mitigation to prevent potential emergencies. This DTSC Emergency Response Program also allows DTSC to provide field response to major incidents and professional expertise in emergencies (e.g., toxicology, geology, alternative technology, and legal).

- **Funding Source:** Health and Safety Code § 25354

- **Annual Total:** $1,000,000

- **Administered by:** DTSC Emergency Response Program

- **Contact:** During normal business hours, contact the DTSC Emergency Response Duty Officer at (916) 255-6504 or (800) 260-3972. After normal business hours, including weekends and holidays, contact the California State Warning Center at (916) 845-8911 or (800) 852-7550. Notify OES of the incident and that state assistance for the cleanup is needed. Request OES to contact the on-call DTSC Emergency Response Duty Officer who will do the following:

  - Contact the requesting agency;
  - Determine if the incident is eligible for funding;

- Establish the scope of work, obtain a cost estimate, and estimated time of arrival from the contractor;
- Authorize a contractor to respond;
- Issue an Emergency Response Expenditure Report (ERER) number and USEPA ID number (although normally the requesting agency will use the county Emergency EPA ID number or the Clandestine Lab EPA ID number); and
- Direct DTSC contractor activities.

- **Maximum Single Expenditure:** Discretionary based upon the scale, scope and threat of the incident.

- **Types of Incidents Covered:** The DTSC Emergency Response Program provides coordination and support to local agencies to mitigate a hazardous materials emergency situation, as follows:
  - Cleanup of off-highway spills or abandonment of hazardous substances;
  - Supplement response capabilities of local agencies in large hazardous materials incidents; and
  - Provide assistance for hazard assessment to communities without emergency response capabilities.

NOTE: A "Hazardous Materials Emergency" is defined as a situation involving a release or threatened release of a hazardous substance where there is a threat to public health and/or the environment.

- **Information to Provide:** The following information should be provided to the DTSC Emergency Response Duty Officer:

  - Requesting agency information: name, agency, phone number, address, etc.;
  - Description of the incident (e.g., abandonment, spill, fire);
  - Location and address of site;
  - Hazard characterization results, showing that the hazardous substance meets at least one of the following criteria - toxicity, corrosivity, reactivity/explosivity, and/or flammability;
  - Inventory of hazardous substances - by container, quantity, and contents (hazard class or chemical name);
  - RP information (laboratory/facility operators and/or property owners): name, address, date of birth, drivers license number, and social security number.
  - The owner of property must first be advised of responsibility to pay for cleanup (unless an innocent landowner) - is the RP able or willing to pay?
  - Alternative funding sources are not available or applicable to this incident; and
  - Additional documentation such as:

    - Emergency Response Incident Report (ERIR)
    - Cleanup work Log
    - Copy of Hazardous Waste Manifest
    - Names of responding agencies Names of responding agencies

- **Limitations:**

  - The DTSC Duty Officer must authorize the contractor and all expenditures in advance of funds being spent - no retroactive payments will be made.
  - The cleanup of the following materials will not be funded unless special circumstances exist, which are determined by DTSC to represent a significant threat to human health or the environment:

    - Waste oil
    - Diesel fuel
    - Fuel tank spills from vehicular accidents
    - Latex paint
    - Household hazardous waste
    - Infectious waste
    - Radiological waste

  - Funds will not be made available for incidents on state, federal or Indian lands.
  - Funds will not be made available if the spill occurs on either a state highway rights-of-way, where the California Department of Transportation has jurisdiction; or navigable waters, where the USCG has jurisdiction.

- **Cost Recovery:** Cost recovery (incident costs plus a 10% administrative fee) will be sought under § 25360 of the Health and Safety Code at incidents where the RP is identified.

FISH AND WILDLIFE POLLUTION ACCOUNT

The Fish and Wildlife Pollution Account (FWPA) provides funds to DFG for pollution incidents, with a focus on state wildlife and habitat resources. Several of the purposes of the FWPA include cleanup and abatement of pollutants from the environment, response coordination, resource injury assessment and valuation, and restoration or rehabilitation at sites damaged by pollution.

- **Funding Source:** Fish and Game Code § 12017, and 13010-13013.

- **Annual Total:** Sub-accounts under the Fish & Wildlife Pollution Account are listed below:

  - Oil Pollution Administration
  - Oil Pollution Response & Restoration
  - Hazardous Materials Administration
  - Hazardous Materials Response & Restoration

- **Administered by:** Department of Fish and Game (DFG), Wildlife Protection Division.

- **Contact:** California State Warning Center at (916) 845-8911 or (800) 852-7550.

- **Maximum Single Expenditure:** Varies depending upon the sub-account.

- **Types of Incidents Covered:** Spills of materials threatening to pollute, contaminate, or obstruct waters of this state to the detriment of fish, plant, bird, or animal life.

- **Information to Provide:** Eligibility determined by DFG representative on-scene.

- **Limitations:**

  - DFG will make a reasonable effort to have the RP remove the substance causing the prohibited condition in a timely manner or reimburse the department for the cost of removal.
  - Funds are not available for disbursement from the DTSC Emergency Response Program (see above).

- **Cost Recovery:**

  - All funds recovered for cleanup, removal, or abatement incurred by the state pursuant to § 5655, 12015, or 13013 (c), plus proceeds of civil damages recovered through legal actions pursuant to § 12016 (Fish & Game Code).
  - Any money paid by the State Water Resources Control Board to the Department of Fish and Game pursuant to § 13442 of the Water Code.

OIL SPILL RESPONSE TRUST FUND

The Oil Spill Response Trust Fund (OSRTF) provides funds to OSPR for oil spills into marine waters (tidally influenced). Purposes of the OSRTF include covering the costs incurred by state and local governments and agencies, response and cleanup efforts, damages, wildlife rehabilitation, and emergency loans.

- **Funding Source:** California Government Code § 8670.46 - 8670.53.95.

- **Annual Total:** Up to $100,000,000.

- **Administered by:** California Department of Fish & Game, Office of Spill Prevention and Response (OSPR) Administrator.

- **Contact:** California State Parks Northern Command Center (NORCOM) at (916) 358-1300.

- **Maximum Single Expenditure:** Up to $100,000,000.

- **Types of Incidents Covered:** Oil spills into marine waters.

  Information to Provide: California State Parks Northern Command Center (NORCOM) at (916) 358-1300.

- **Limitations:**
  - Only oil spills into marine waters will be funded.
  - RP must be unknown, unable, or unwilling to provide adequate and timely cleanup and/or pay for damages.
  - Federal oil spill funds are not available or will not be available in an adequate period of time.
  - The state may be reimbursed from the federal fund.

- **Cost Recovery:** Cost recovery will be sought pursuant to GC § 8670.56.5 (g) at incidents where the RP is identified.

WATER POLLUTION CLEANUP AND ABATEMENT ACCOUNT

- **Funding Source:** California Water Code § 13440 –13442.

- **Annual Total:** N/A

- **Administered by:** State Water Resources Control Board (SWRCB).

- **Contact:** (916) 327-4428 during business hours, or the California State Warning Center at (916) 845-8911 or (800) 852-7550 after hours and request that they contact someone at the SWRCB.

- **Maximum Single Expenditure:** Verbal requests for emergency funding are limited to $50,000. No limit for written requests.

- **Types of Incidents Covered:** Assistance to public agencies with the authority to clean up waste or abate its effect.

- **Information to Provide:** Contact State Board, Office of Chief Counsel at (916) 232-5344 for information and written application form.

- **Limitations:**

  - Only releases directly impacting or threatening to impact the surface and groundwater are eligible.
  - Assistance is not provided on a retroactive basis.
  - Approval for use of these funds must be obtained prior to any expenditure.
  - The only costs covered are those over and above normal operating costs of the agency, which are directly incurred for cleanup and abatement.
  - Assistance is not provided if other funds are available.
  - Non-emergency fund requests must be written and formally approved by the State Board (approximately 6 weeks).

- **Cost Recovery:** N/A

AGENCY-SPECIFIC FUNDING SOURCES

The following is a listing of state agency funds for addressing hazardous materials incidents that impact their mandate. Other public agencies cannot access these funds.

California Department of Transportation

Caltrans administers a fund for hazardous materials incidents that impact state highway rights-of-way (includes state highways, freeways, and adjacent property). Funding is only available when a responsible party is unknown, unable to provide adequate and timely cleanup, or unable to pay for damages. Caltrans has several hazardous materials response contracts, and will finance the removal of hazardous materials that impedes traffic on, but not beyond, the Caltrans rights-of-way (even though it originated on a state highway). A mechanism exists to recover costs from the Responsible Party (RP). The RP will be subject to additional fees when accessing Caltrans emergency spill response funds.

Division of Oil, Gas, & Geothermal Resources

The Division of Oil, Gas, & Geothermal Resources (Department of Conservation) administers a small fund to address the release of hazardous materials related to oil and gas production, drilling, maintenance, or abandonment.

California State Lands Commission

Lessees of state lands are required to possess insurance for bodily injury or property damage to third parties and each lease has a performance bond for hazardous materials cleanup.

California National Guard

The California National Guard has an account for use in cleaning chemical spills or other incidents caused by the National Guard only and can be accessed by the Director of Facilities and Engineering.

California Department of Water Resources

Funding and resources for DWR only exist for minor self-generated hazardous materials incidents. Some equipment can be provided under mutual aid.

California Governor's Office of Emergency Services

In the event of gubernatorial disaster proclamation or presidential disaster declaration, federal and some state disaster funds (e.g., California Disaster Assistance Act) may be accessed through OES.

FEDERAL GOVERNMENT FUNDING

The federal government administers two primary funds for incident response and recovery activities. These agency-specific funds are generally accessible after state resources have been exceeded. United States Coast Guard (USCG) specific funds can be accessed by the state, under certain circumstances and with USCG or USEPA On-Scene Coordinator (FOSC) approval, for Oil Pollution Act (OPA) response actions. United States Environmental Protection Agency (USEPA) agency-specific funds cannot be accessed directly by the state for CERCLA removal actions.

In addition to these funds, the federal government also provides another funding source available directly to local governments for response and recovery activities at a hazardous materials incident. These funding sources are described in further detail below:

OIL SPILL LIABILITY TRUST FUND (OSLTF):

The Oil Spill Liability Trust Fund may be accessed by the Federal On-Scene Coordinator (FOSC: either USCG or USEPA) who is performing oil removal operations consistent with the National Contingency Plan (NCP) and requires financial support from the Oil Spill Liability Trust Fund (OSLTF). Information on state access to the Fund is found in 33 CFR 133 and 136, with additional guidance in the *National Pollution Funds Center's User Reference Guide.*
NPFC: (800) 280-7118

The Governor designates claimants; there are no local designations to access the fund for reimbursement. The USCG administers the OSLTF, and they prefer that FOSC's provide authorization via a Pollution Removal Funding Authorization (PRFA), that is if the FOSC determines that another federal, state or local agency can assist in the removal effort. The procedure is simple and there is greater likelihood that the agencies will be fully reimbursed for their costs. The basic procedure involves completing a PRFA form, which identifies an authorized scope and duration of work, and a cost ceiling. It is the individual agency's responsibility to document and track their costs against the ceiling. However, if federal funds are not available in an adequate period of time and the Responsible Party (RP) is unknown, unable, or unwilling to pay, then the California Oil Spill Response Trust Fund shall be used to pay the necessary costs. Information on these procedures can be obtained from OSPR's Cost Recovery Unit at (916) 445-9338.

- **Funding Source:** Oil Pollution Act of 1990 (OPA '90)

- **Annual Total:** Up to $1,000,000,000 - The USCG has access to $50,000,000 in the Emergency Fund, which is the maximum amount provided in the annual appropriation for the entire country. Any funding needed in excess of the $50,000,000 Emergency Fund must be sought through a supplemental appropriation.

- **Administered by:** National Pollution Funds Center at (703) 235-4767.

- **Contact:** National Response Center at (800) 424-8802

- **Maximum Single Expenditure:** Up to $1,000,000,000 - Under the State Access Provisions in Section 1012 of OPA 90, the maximum payment to the State is $250,000 per incident for removal costs only. The State must receive authorization from the FOSC for access to the Fund prior to conducting oil spill removal actions.

- **Types of Incidents Covered:** Oil spills

- **Information to be Provide:** Determined by FOSC

- **Limitations:**

  - The Administrator of OSPR may access this fund, following specific requirements of the National Pollution Funds Center.
  - The RP must be unknown, unwilling, or unable to perform adequately and State resources are exhausted.
  - This fund is available primarily for oil releases.

- **Cost Recovery:**

  - A federal mechanism exists to recover costs from the Responsible Party (RP). The RP may be subject to "triple damages" (three times the full cost of cleanup) and fines up to $25,000/day.

  - Section 1002(b) of OPA'90 defines the removal costs and damages that can be recovered from responsible parties. The United States Coast Guard has the responsibility for the cost recovery and litigation process. The RP is liable for all recoverable removal costs and damages. Generally, recoverable damages include natural resource damage, damages to real and personal property, loss of subsistence use of natural resources, loss of tax and other revenues, loss of profit or earning capacity and increased cost of public services. OPA'90 sets the limit of liability for each incident at $350,000,000 for "Onshore facilities."

  - Cost recovery and documentation procedures and forms are in 33 CFR 133 and 136, with additional guidance in the *National Pollution Funds Center's User Reference Guide.* Copies can be obtained from the Eleventh Coast Guard District Marine Safety Division Office at (510) 437-2940, or the local Marine Safety Office.

HAZARDOUS SUBSTANCES RESPONSE TRUST FUND (Superfund), and the COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT OF 1980 (CERCLA)

CERCLA (Comprehensive Environmental Response, Compensation and Liability Act of 1980) funds may be accessed by the Federal On-Scene Coordinator (FOSC) who is performing hazardous substance response operations under the NCP and requires financial support from the CERCLA fund.

- **Funding Source:** CERCLA, 40 CFR 300
- **Annual Total:** N/A
- **Administered by:** United States Environmental Protection Agency (US EPA) Superfund Division
- **Contact:** US EPA [In California: (415) 744-2000]
- **Maximum Single Expenditure:** EPA, FOSC's are delegated the individual authority to access the fund up to a maximum of $200,000 to initiate emergency response actions. The statutory limits for cost and duration are $2,000,000 and 12 months for removal actions.
- **Types of Incidents Covered:** Hazardous substances - FOSCs can access CERCLA funds when he or she determines that there has been a release of a hazardous substance or a pollutant or contaminant that poses an imminent and substantial threat to public health, welfare or the environment. During a Presidentially Declared Natural Disaster, the Federal Emergency Management Agency (FEMA) may issue a Mission Assignment to EPA to conduct an emergency response action. In this case, FEMA would fund the response. Part three of the HMICP describes EPA's primary emergency support function (ESF #10) for federal support to state and local governments in response to actual or threatened discharge and/or release of hazardous materials following a major disaster.
- **Information to Provide:** Determined by FOSC
- **Limitations:** The RP must be unknown, unwilling, or unable to perform adequately. Funds are available only for federally managed responses.
- **Cost Recovery:** A federal mechanism exists to recover costs from the RP, who may be subject to "triple damages" (three times the full cost of cleanup) and fines up to $25,000/day.

LOCAL GOVERNMENTS REIMBURSEMENT (LGR)

EPA's Local Governments Reimbursement (LGR) Program provides funds to eligible local governments that incur costs while performing temporary emergency response measures. Because clandestine methamphetamine and other synthetic drug labs often include hazardous substances, local governments can be reimbursed for cleanup costs from the LGR program.

- **Funding Source:** Superfund Amendment and Reauthorization Act (SARA).
- **Annual Total:** $2,000,000
- **Administered by:** USEPA
- **Contact:** Application package obtained by calling the LGR Helpline Hotline at (800) 431-9209, or via the internet at: www.epa.gov/superfnd/oerr/er/reimburs/lgr/lgrmiss.htm
- **Maximum Single Expenditure:** $25,000 per incident.
- **Types of Incidents Covered:** Releases or threatened releases of hazardous substances, including transportation accidents, illegally dumped wastes, tire fires, and illegal drug labs.
- **Information to Provide:** Available in application package.
- **Limitations:**
  - Only local governments or federally-recognized Indian tribes are eligible for reimbursement;
  - The local government or tribe applying for LGR funds can not be responsible for the release;
  - The local government or Tribe applying for LGR funds can not have the money in the budget for the response, nor could those costs be recovered from the RP, state government, or local government insurance;
  - Reimbursement can only be used for costs incurred in performing temporary emergency response measures;
  - Oil or oil-related products are not covered unless mixed with a hazardous substance;
  - Application must be made within six months of completion of the response; and
  - Not all qualified requests are funded.
- **Cost Recovery:** N/A

SECTION 4.0 - RECOVERY

Recovery Phase

Recovery refers to those measures undertaken following a disaster that will return all systems (utilities, phones, government offices, etc.) to normal levels of service. For a successful recovery, a recovery organization should be established prior to a disaster and operations should begin at the onset of an emergency. Although SEMS is required for emergency response, it is not specifically required for recovery operations. The Governor's Office of Emergency Services (OES), however, will continue to use SEMS principles and procedures during the recovery phase and other levels of government are encouraged to do the same. As in the response phase, SEMS provides for greater coordination and efficiency at all levels during the recovery phase, particularly since personnel are already working in a SEMS environment.

The recovery phase restores communities and/or the environment to their pre-emergency condition, and includes measures such as: physical restoration and reconstruction; counseling; financial assistance programs; temporary housing; cleaning up contaminated areas; debris removal; treating contaminated ground and surface water; providing health and safety information and eliminating and/or reducing any known hazards; restoring businesses and recreational facilities (such as parks, piers, boat ramps); etc. Recovery operations can be divided into two phases:

- The **short term phase** involves activities intended to restore the community's infrastructure systems, such as public utilities (gas, electric, water, and sewer), communications systems, transportation systems, special facilities (hospitals, schools, etc.), economic and social systems.

- The **long-term phase** involves activities that will return infrastructure systems to pre-disaster conditions. Such activities would include the development of a recovery team, economic impact studies, resource and economic stabilization, cost recovery activities, post-event damage assessments, hazard mitigation, and update response plans based on the lessons learned.

While many incidents can be terminated shortly following the response phase, some incidents require a recovery phase, which may entail a considerable expense and time to return the area to a pre-incident condition. Agencies that have the responsibility of overseeing site cleanup operations and in determining "how clean is clean?" should be involved in the decision making process of the recovery phase as soon as possible. The transition from the response phase to the recovery phase occurs when the acute adverse aspects of the incident are eliminated. Site safety and security activities, however, must still continue throughout the recovery phase, as appropriate. During this transition, response personnel and equipment may be de-mobilized if their use is no longer needed in the recovery phase.

After-Action Reports

Under SEMS [Emergency Services Act, § 8607(f)], it is required that the Governor's Office of Emergency Services, in cooperation with involved state and local agencies, complete an after-action report within 120 days after each declared disaster. This report shall review public safety response and disaster recovery activities and shall be made available to all interested public safety and emergency management organizations.

SECTION 5.0 - MITIGATION

Mitigation Phase

Reducing the risk to people, environment, and property is the basic goal of emergency management. Mitigation**,** therefore, is considered the principal foundation of emergency management because it helps reduce the number of victims, property loss, and environmental damage. The mitigation phase is the ongoing effort - at federal, state, local, and individual levels - to prevent or lessen future emergency or disaster incidents and the impacts they have on people, property, and the environment. Examples of mitigation activities would include the following:

- Legislation, laws and regulations
- Variances
- Zoning and land use management
- Engineering and building codes
- Compliance
- Hazard Mitigation (HAZMIT) Plans & Teams
- Technical guidance & assistance
- Financial assistance
- Hazard Identification
- Risk Analysis
- Evaluation
- Research
- Education

Mitigation should be viewed as the means to decrease demands for emergency response resources; it reduces the principal causes of injuries and deaths; it enables a quicker lifesaving response and economic recovery because the community infrastructure remains intact; and it reduces the societal impacts of the emergency because it results in less disruption to the social environment. In essence, mitigation the foundation of sustainable community development.